

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

DENALI COMMISSION
PUBLIC MEETING
510 L STREET
ANCHORAGE, ALASKA
NOVEMBER 5, 2015

1

2 CO CHAIR NE MEYER Good morning. This is Joel Ne meyer, the
 3 federal co-chair for the Denali Commission. This is the November 5, 2015,
 4 Denali Commission public meeting. We will have introduction of commissioners.
 5 And then we will then go to approving the agenda, which includes an executive
 6 session, which we would just leave the room and go do that in another room.
 7 The executive session is the -- it's not tri-annual -- every three....

8 MR. WHITTINGTON It's annual training.

9 CO CHAIR NE MEYERits annual ethics training which the
 10 commissioners must go through as special government employees. And then we
 11 will -- are scheduled to come back at noon. So with that, we have in attendance,
 12 from the commissioners starting with....

13 COMMISSIONER BELTRAM: Vince Beltrami, AFL-CIO

14 COMMISSIONER JOHNSON: Jim Johnson, University of Alaska

15 COMMISSIONER KITKA: Julie Kitka, Alaska Federation of Natives.

16 COMMISSIONER WASSERMAN: Katie Wasserman, Alaska Municipal
 17 League.

18 CO CHAIR NE MEYER Joel Ne meyer. And so we have before us the
 19 proposed agenda with commissioners. Do we have a move to approve?

20 COMMISSIONER KITKA: I would like to move to advance an open
 21 agenda using this as the guideline, and include executive session at the end of
 22 the meeting as opposed to the beginning. And then I would like to include in the
 23 agenda federal co-chair report and state co-chair report at the beginning of the
 24 meeting, and comments and observations by the commissioners at the

1 beginning

2 COMMISSIONER BELTRAM: It's a motion?

3 COMMISSIONER KITKA: It's a motion.

4 COMMISSIONER BELTRAM: I'll second that.

5 CO-CHAIR NE MEYER: Commissioners' observations. Let me think.

6 So, Dr. Johnsen, you leave at 3:30?

7 COMMISSIONER JOHNSON: Yes. I have an event in Fairbanks this
8 evening so I've got to get on a plane.

9 CO-CHAIR NE MEYER: And Bryon will leave when? But he will be --
10 the lieutenant governor will be here through 5:00?

11 UNIDENTIFIED FEMALE: Yes.

12 CO-CHAIR NE MEYER: So what we would do is if we move the
13 executive toward the end, we'd have the public meeting at 4:30. And I think the
14 public was....

15 UNIDENTIFIED MALE: Public comment?

16 CO-CHAIR NE MEYER: Public comment was at 4:30.

17 COMMISSIONER KITKA: Just for explanation, I don't think we're going
18 to need five hours for the meeting today. I think we'll be -- you know if....

19 CO-CHAIR NE MEYER: Right.

20 COMMISSIONER KITKA: my fellow commissioners got to leave at
21 3:30, I think we'll be done by 3:00. You know?

22 UNIDENTIFIED MALE: To do executive session? But you think we'll....

23 COMMISSIONER KITKA: ☐ we may not even need executive session.

24 I prefer to have everything on the record what we're doing.

1 CO CHAIR NE MEYER Well.....

2 MR. WHITTINGTON Just to -- I would -- the annual training is required.
3 We traditionally have -- often times in the past, we'll do that via email. There's a
4 requirement in the statute -- in the regulation that says once every three years it
5 has to be done verbally, whether it be in person or on the phone. So that's why I
6 wanted to take advantage of having as many commissioners as we have here.
7 My only concern, and commissioners can do as they wish of course, is that -- is
8 having it early is that it guarantees the President Johnsen will have an
9 opportunity. I want -- either he will have to listen to it again, or for the first time,
10 or I would have to travel to Fairbanks and we can have it. So that was just an
11 attempt to do that.

12 COMMISSIONER KATKA: Well we'd put it time certain like at, say, 2:30 --
13 2:30 to 3:30.

14 FEDERAL CO CHAIR NE MEYER As long as we -- I would just -- we
15 would do it before -- if we got to 4:30, yeah. And then -- okay. So there's no
16 reason why the ethics training....

17 MR. WHITTINGTON It's just a requirement to be done sometime in the
18 year so....

19 COMMISSIONER BELTRAM: And this is the same stuff we usually get
20 on the Internet and go page by page through it and answer all the....

21 MR. WHITTINGTON It's the same material -- similar material.

22 COMMISSIONER KATKA: So do you have to like read it to us or -- I
23 mean what does that mean it has to be in person?

24 MR. WHITTINGTON Well it will be -- there will be a couple of slides, and

1 then I'll be talking through it, and then there will be an opportunity for questions,
 2 what have you. So it's largely the same material, just that the requirement is I
 3 have to do that once every three years, face-to-face or over the phone.

4 COMM SSI ONER WASSERMAN: I think other than why, most of us
 5 don't have any questions. (Indiscernible -- multiple speakers at the same time.

6 MR. WHITTINGTON: Yeah. I expect -- I expect I'll move you through the
 7 material relatively quickly.

8 COMM SSI ONER BELTRAM: Yeah. I was going to say, I don't recall
 9 that's something we've ever actually done.

10 COMM SSI ONER WASSERMAN: Yeah, I don't either.

11 COMM SSI ONER BELTRAM: I believe we just got on the internet and
 12 did it.

13 MR. WHITTINGTON: I understand. And when I looked back through the
 14 records, I realized that I could not say when the last time that was done verbally,
 15 so I thought I should go ahead and establish that now since this is my first full
 16 year, so I can say this is done and start the counting from here.

17 COMM SSI ONER BELTRAM: He's reading the statutes and stuff,
 18 apparently.

19 FEDERAL CO-CHAIR NE MEYER: Well then there's no reason to have
 20 the ethics training in executive session. One of the reasons why we were
 21 actually looking at executive session was to give you an opportunity to each
 22 lunch. So we can do lunch like at noon. Does that work for everyone?

23 COMM SSI ONER BELTRAM: A working lunch? Sure.

24 COMM SSI ONER JOHNSON: Fine here.

1 COMM SSI ONER WASSERMAN: A worki ng lunch?

2 FEDERAL CO CHAI R NE MEYER: Yeah, yeah. So we can do a
3 worki ng lunch, you know, start at noon. Does that sound fair?

4 COMM SSI ONER WASSERMAN: Yeah.

5 FEDERAL CO CHAI R NE MEYER: What we'd probably then do is we'd
6 take a slight break, go over to the Foraker Room, get our lunches and come back
7 and then reconvene like in 15 minutes.

8 MR. WHITTINGTON: And one advantage, actually now that I think about
9 it, if we did it at 2:30, I'd say, or 2:00 o'clock, the lieutenant governor would be
10 here as well so I won't have -- and President Johnsen, so I won't have to track
11 down the lieutenant governor. So that actually, now that I think about it, there's
12 some advantage to pushing that back as long as we get to it.

13 CO CHAI R NE MEYER: Right.

14 COMM SSI ONER KITKA: What my rationale for doing it this way is I'm
15 anxious to get into the substance of this stuff before the technical.

16 MR. WHITTINGTON: Okay.

17 COMM SSI ONER KITKA: So it's no offense to -- taking it and I read the
18 slides....

19 MR. WHITTINGTON: That works just as fine for me. Actually, it will work
20 better.

21 COMM SSI ONER WASSERMAN: And they were great slides.

22 MR. WHITTINGTON: What's that?

23 COMM SSI ONER WASSERMAN: They were interesting. They were
24 interesting slides.

1 FEDERAL CO CHAIR NE MEYER Okay.

2 MR. WHITTINGTON I don't think anyone's ever said that about ethics
3 slides before

4 COMMISSIONER WASSERMAN I know Just go with it, John.

5 FEDERAL CO CHAIR NE MEYER Congratulations, John. So we've got
6 a motion and a second. So let me -- I'm sorry?

7 MS. CABANA: (Indiscernible -- whispered conversation)

8 CO CHAIR NE MEYER Oh, thank you. Thank you, Sabrina. So the
9 idea is we will move the executive session until after -- sometime in the
10 afternoon.

11 COMMISSIONER KITKA: 2:00 o'clock I think would be -- 2:00 or 2:30
12 would be -- to make sure that President Johnsen has a -- can hear it all.

13 FEDERAL CO CHAIR NE MEYER 2:00 -- to 2:30. Okay. And then we
14 will begin with federal and state co-chair and commissioner observations. The IG
15 is on the phone now. Sabrina, can you see if -- when David can join us?

16 MS. CABANA: Yeah, absolutely. And I was going to let other folks know
17 that we are now starting apparently.

18 FEDERAL CO CHAIR NE MEYER Okay. Okay. Other than that, I think
19 the agenda is straightforward. So all those in favor in the revised agenda, please
20 say aye.

21 COMMISSIONER BELTRAM: Aye.

22 COMMISSIONER JOHNSEN Aye.

23 COMMISSIONER KITKA: Aye.

24 COMMISSIONER WASSERMAN Aye.

1 FEDERAL CO CHAIR NE MEYER Okay. Let's -- we'll make time for
 2 when the state co-chair joins us this afternoon, after lunch, and then we can have
 3 his comments. So we'll start with comments from me and then commissioners
 4 about the commission. So....

5 UNIDENTIFIED MALE (Indiscernible -- away from microphone.)

6 FEDERAL CO CHAIR NE MEYER Oh yes, yes. For those who are
 7 online for the Denali Commission November 5th meeting, we have changed the
 8 agenda somewhat. Instead of going immediately into executive session, which
 9 was meant to be ethics training for -- required ethics training for commissioners,
 10 we'll do that later in the afternoon. So we're going to move into the business of
 11 the day. And I would ask that those who are in attendance here introduce
 12 yourselves and then we'll go to those who are on the phone so that we can have
 13 a complete record. So Jay?

14 MR. FARMWALD: Jay Farmwald, director of programs at the
 15 commission.

16 MS. AXELSON: Tessa Axelsson, Denali Commission.

17 MS. BACHAND: Rita Bachand, Two Bears Environmental.

18 MS. WILCOCK: Ronni Wilcock, Two Bears Environmental.

19 FEDERAL CO CHAIR NE MEYER John?

20 MR. WHITTINGTON: John Whittington, general counsel for the
 21 commission.

22 FEDERAL CO CHAIR NE MEYER Sabrina?

23 MS. CABANA: Sabrina Cabana, Denali Commission.

24 FEDERAL CO CHAIR NE MEYER Is there anyone online who would

1 liketo....

2 MS. BORROMEO Sorry.

3 FEDERAL CO CHAI R NE MEYER I' msorry.

4 MS. BORROMEO I' mNcd e Borroneo, general counsel for AFN

5 FEDERAL CO CHAI R NE MEYER Thank you. Thank you. Is there
6 anyone on line who wou dlike to i rtroduce the msel ves and thei r affili ati on?

7 MR. GLASCOTT: Yeah, this is Bob Gascott. I'm with the Corps of
8 Eng neers, A aska Distri d.

9 MS. PETERSON Ma ri Pet ersen, Corps of Eng neers, A aska Distri d.

10 MS. WNTON Toya Wnt on, A aska Labor ers.

11 MR. EUBANKS Jay Eubanks, Enli ght eneeri ng

12 MS. CREELY: Eni ly Gred y with DOWL.

13 MR. CLIN Fredd e Di ni n the Of fice of the Li eutenant Gover nor.

14 FEDERAL CO CHAI R NE MEYER Anyone d se like to i rtroduce
15 the msel ves? Mv i ng for ward. So federal co-chair comments. Where to beg i n?
16 We put together this agenda, seri or management, John and Jay and Corri ne
17 Eli q, chief administrative officer, and myself, with the purpose of tryi ng to move
18 for ward with a deci si on- maki ng body, the commi ssi oners as a deci si on- maki ng
19 body wi thi n the framework of the 2006 Depart ment of Justi ce rul i ng that
20 commi ssi oners are sped al government empl oyees. Commi ssi oners have heard
21 me talk or menti on i n the past that I missed the d d days when we had an
22 i nvest ment subcommittee, a trai ni ng subcommittee, an economi c devel opment
23 subcommittee, and vari ous subcommittees i n which commi ssi ons coul d readi ly
24 engage. The approach that we' ve taken si nce that ti me, I found a bit

1 unsatisfactory for myself. And it took me a while to figure out what that was. And
2 we arrived at it -- the four of us arrived at it during the discussions of how to
3 move forward a methodology or methodologies for commissioners to engage.
4 And that was is that those previous workgroups, commissioners were driving the
5 ship, so to speak. They were the ones voting. And then they had program
6 partners, you know, at the table, but they were informing the commissioners.
7 And the advisory groups that we have now, the program partners are at the table
8 with the commissioners. And so it's more of a collective thought and it's not
9 really a thought, that I've seen, of the commissioners driving it. And so largely
10 that's what we're trying to move toward is a means by which John, as the DAEO
11 the designated agency ethics officer, can ensure that commissioners can
12 participate in the most meaningful way and still be within the constraints -- the
13 ethics constraints of Section 208. So many of these -- or most of today's meeting
14 was -- is driven by that. I believe that once we put these in place, or some
15 semblance of them that the commissioners would like to see, then I think we can
16 engage -- commissioners can engage in a more meaningful way. That was the
17 approach on this agenda. We have other things that we're talking -- that we had
18 proposed, a meeting calendar for 2016 and other topics that may come. So
19 that's -- that's how we created this agenda. I should share with commissioners
20 what has been going on at the agency since we last met. It's been quite busy. I
21 can tell you that we have had many folks, many agencies express interest in the
22 commission given the new presidential assignment. A lot of folks are coming
23 wanting to talk to us. A lot of agencies want to talk to us. They have their ideas.
24 What is dear to me is that many people have been working on this for years.

1 And in many respects, the federal government is coming to this question of
 2 environmentally threatened communities somewhat late. So there's a lot of folks
 3 already doing a lot of good work. And what we're finding is that you'll find these
 4 like little good mines -- or good nuggets here and there of the work that's been
 5 done previously. By no way have we been able to figure out what everyone has
 6 done, where they're going, and what that may mean to the Denali Commission
 7 given this new assignment, but we are working to try to figure that out. The
 8 reason why I share this is that the important aspect of this is relationship building.
 9 It would be how does the agency develop relationships with those in the
 10 community level, the regional level, and the state level. And I would share that
 11 an equally important component is what is the Denali Commission relationship with
 12 the Arctic Executive Steering Committee. The Arctic Executive Steering
 13 Committee, as I've said before, was established Executive Order 13658. In any
 14 event, it is a high-level group of deputy cabinet level members. We've all, I think,
 15 had an opportunity to talk with the chief of staff from the Department of Interior.
 16 My understanding is the Department of Interior was assigned the responsibility
 17 by the Arctic Executive Steering Committee to figure out how the Arctic Executive
 18 Steering Committee -- someone's got us on....

19 COMM SSIONER BELTRAM: Somebody has us on hold.

20 FEDERAL CO CHAIR NE MEYER: So whoever's got....

21 COMM SSIONER KITKA: Peaceful music.

22 COMM SSIONER BELTRAM: They don't know. They're on hold.

23 FEDERAL CO CHAIR NE MEYER: They're on hold. Will they find it.

24 COMM SSIONER BELTRAM: Maybe they came back.

1 FEDERAL CO CHAIR NE MEYER Thank you.

2 COMMISSIONER BELTRAM: Please don't put us on hold. Go ahead.

3 FEDERAL CO CHAIR NE MEYER Thanks, Vince. So what I've
4 observed is that there's a lot of interest in D.C. in how to engage with the Denali
5 Commission. They're still trying to figure it out. So in many respects, when we
6 talk about forming, storming and norming, we are still in the forming phase. That
7 forming phase is what are the relationships of the folks in Alaska working on this
8 work and what are the relationships of folks in D.C. and how can the Denali
9 Commission work effectively to bridge those existing relationships. So that's, in
10 large part, our observations. We've been fortunate in that we've been able to
11 attend a number of meetings, in this room, were meetings with the communities
12 of Shaktodik, Kvadina, and Shishmaref. And then separate meetings with the
13 community of Newtok. I was able to go to Newtok two weeks ago. I wanted to
14 get to Newtok before it froze up, the river froze up, so I could get to it. I didn't
15 want -- I was reticent to go to the communities, although I want to go to the four
16 communities that are discussed -- that are actively talking about village
17 relocation, but I didn't want to get ahead of commissions. But in the case of
18 Newtok, because of the weather conditions....

19 COMMISSIONER WASSERMAN: So which ones did you go to?

20 FEDERAL CO CHAIR NE MEYER I've only been to Newtok.

21 COMMISSIONER WASSERMAN: Oh, just to Newtok?

22 FEDERAL CO CHAIR NE MEYER And I only went to Newtok because I
23 was concerned about, you know, the river freezing and being able to get in. The
24 other three, I've made of conscious effort of not going to, because I think,

1 depending upon what we do today, that will inform how the Denali Commission
 2 does its outreach. But so there's been a lot of effort and energy on this initiative
 3 and a lot of attention being paid. The other thing I would say is we -- is it \$18
 4 million, Jay, that we pushed out the door before the end of the fiscal year on -- so
 5 we pushed out the door \$18 million in grants. A lot of that is the FY15 money.
 6 Some of it was prior year unobligated money that we were able to put together.
 7 One thing I will say is that we did not fully fund Togalak RPSU rural power system
 8 upgrade. So there's about a \$800,000 to \$900,000 deficit there. But there's
 9 more than enough money for AVEC to get started ordering materials and
 10 shipping them to the site. So when we get to talking about the FY16 work plan,
 11 commissioners need to know that we need to reserve a certain portion of money
 12 to fully fund the Togalak RPSU project. But other than that one, I don't think we
 13 have any other potential encumbrances on FY16, do we, Jay?

14 MR. FARMWALD: I think that's the only one.

15 FEDERAL CO-CHAIR NE MEYER: That's the only one? But since we're
 16 -- I think you should know that that was the outcome of FY15 appropriation and
 17 how it might affect FY16. With FY16 -- oh, the lieutenant governor is early.

18 COMMISSIONER MALLOTT: Am I in the right place?

19 FEDERAL CO-CHAIR NE MEYER: You are. Come join us, sir. The
 20 lieutenant governor, Byron Mallott, our state co-chair, has just joined us. We
 21 have changed the meeting a bit -- agenda around, sir. And we are moving into
 22 federal co-chair comments, state co-chair comments, the IGC comments, and
 23 commissioner comments. Then we're going to break for lunch. And then we'll
 24 do a -- the executive session was going to be ethics training. We're just going to

1 do that later in the afternoon when everyone's available. So I would say those
 2 are the two main things I'd like to share with commissioner of what's going on.
 3 And with that, shall we turn to -- shall we give the lieutenant governor some time
 4 to get organized and turn to you, David to....

5 MR. SHEPPARD: Sure.

6 FEDERAL CO CHAIR NE MEYER: Please.

7 MR. SHEPPARD: Thank you.

8 FEDERAL CO CHAIR NE MEYER: Would you introduce yourself,
 9 David?

10 MR. SHEPPARD: Sure. My name is David Sheppard. I'm the inspector
 11 general for the Denali Commission. So we've had a pretty productive period in
 12 the last six months or so. We've issued a report on the Denali Commission grant
 13 monitoring efforts. Fortunately, I'm happy to report that the commission has
 14 agreed with all of our findings and recommendations and appears to have started
 15 to take steps to improve. One of the things that I think is pivotal is the revisions
 16 that they're making to the standard grant terms and conditions, which I think will
 17 go a long way in helping to improve some of that, as well as looking for ways to
 18 encourage its monitors to do more in terms of keeping track of what's going on
 19 with the grants. So I'm happy to see that. We actually issued our draft Top
 20 Management Challenges. I think the Top Management Challenges report
 21 actually went to all of the commissioners. And so my hope is that after today's
 22 meeting we'll have a response from the agency so that I can issue it tomorrow
 23 because time is of an essence when it comes to things like (indiscernible). They
 24 have to actually go into the agency financial reports. And so that's coming up

1 pretty quickly. And then the third area is the summary report to Congress. Every
2 six months we have to report to Congress, you know, the actions that we've
3 taken, issues that we found, you know, the agency's responsiveness to different
4 things that are going on in the organization. We have to respond to -- it seems
5 like I have like a billion Congressional requests that I have to respond to related
6 to various things, related to -- which every I G has to respond to. It's just that
7 when you're a one or two person office, it makes it that much more challenging to
8 try to get to it. But if we don't respond to Congress, it then becomes problematic.
9 So a lot of our time has been spent dealing with Congressional responses on
10 FOIA, Congressional responses on the agency's cooperation with our
11 organization, improper payments, etcetera. So those things are progressing well
12 and we should have those out probably before the end of next week. We do plan
13 on -- Jillian and I, whose the auditor who works up here in Alaska, we have a
14 work plan for the coming year where we're going to be looking at several
15 additional grant recipients. We're also going to be probably -- or potentially look
16 at the grant awarding process and trying to provide some input on how effective
17 we think the agency is in awarding grants. Those are all coming up in the next
18 four or five months, and you will be aware of what we decide to pursue. And if
19 you have any questions, I'd be more than willing to answer anything you might
20 have. Okay, thanks. And I'll say one last thing. I read the various proposals that
21 are on the table that, I think, the Denali Commission has started. If you look at
22 our Top Management Challenges report, I think that at least some of them, you
23 know, will hopefully address some of the challenges that we raised, especially in
24 terms of dealing with, you know, commissioner engagement and getting the

1 commissioners more engaged without crossing the ethics barrier, okay, and
 2 causing problems in that area. So my hope is that whatever you all decide to do
 3 that it will be a step forward in addressing some of those concerns and issues
 4 that have been raised in the past. That's all.

5 MR. WHITTINGTON: Jed, would you -- on the original agenda there was
 6 about a 10 minute block where myself and Jay were going to speak and it's
 7 almost like a tag along, a little bit, to what you had mentioned. I don't know if we
 8 moved it or not. I don't know if we want to push that another spot, if you wanted
 9 me to jump in, I wasn't sure.

10 FEDERAL CO-CHAIR NE MEYER: Yeah. Well, why don't we have that
 11 after the lieutenant governor speaks....

12 MR. WHITTINGTON: Sure.

13 FEDERAL CO-CHAIR NE MEYER:and then after commissioners.
 14 And if we can fit that in before lunch, great. If not, after lunch.

15 MR. WHITTINGTON: Okay.

16 FEDERAL CO-CHAIR NE MEYER: Byron?

17 COMMISSIONER MALLOTT: First of all, I apologize for being late. I was
 18 speaking to university students and that always kind of captures your attention
 19 and time.

20 COMMISSIONER JOHNSON: Thank you.

21 COMMISSIONER MALLOTT: So I am President Johnson.

22 COMMISSIONER JOHNSON: Thank you very much.

23 COMMISSIONER MALLOTT: I don't know what has transpired prior to
 24 my arrival. I would like to hold my comments until we get into the meeting itself.

1 I, otherwise, have nothing particular to report. I've had a series of meetings in
 2 D.C. on the Denali Commission and so forth, but I think they would be more
 3 relevant if a discussion of the agenda and some of the topics that we need to
 4 address so.

5 FEDERAL CO-CHAIR NE MEYER Comments from commissioners
 6 before we get started?

7 COMMISSIONER KITKA: Well I'll jump in.

8 FEDERAL CO-CHAIR NE MEYER Please.

9 COMMISSIONER KITKA: First of all, I want to apologize if anybody took
 10 offense to any of my email messages, the length or whatever. They were not
 11 intended to be offensive to anybody. But I wanted to share with the
 12 commissioners my sense of urgency of what is going on. And one of the things
 13 that I asked Nicole, and maybe Nicole could pass out, is we had six resolutions
 14 that passed at our convention. As many of you know, we have about 4,000 of
 15 our people come together. And five of the resolutions directly pertain to issues
 16 that come before us or that should be coming before us as a rural infrastructure
 17 commission on that. And in particular issues on economic disasters and our
 18 people's desire to have shortage of food and subsistence also be included in the
 19 economic disasters, so when you're dealing with disaster declarations and how
 20 that impacts what's going on in the state. I wanted to flag that for your attention.
 21 The need for increased water and sewer infrastructure. The need for the state
 22 and the federal governments to act now to address and mitigate climate change
 23 and its impact on our communities. And also urging the federal and state
 24 governments to include coastal Native villages in Arctic transportation planning.

1 And I think we -- one of her one, I don't know if it's in the little packet, that was
 2 urging the federal and state government to increase its use of compacting and
 3 contracting. Over the years, the Native community has increased its capacity
 4 both in our Native corporations and our tribal consortiums and individual tribes to
 5 do more things. And in climate change in particular, one of our tribal
 6 consortiums, Bristol Bay Native Association, for the first time at the compact
 7 amended and resources put in for adaptation for climate change. And so I just
 8 wanted to bring to the Denali Commission's attention on that, that we are
 9 continuing to build our own capability on that and people want to be a partner
 10 with the Denali Commission and the federal and the state governments. So that
 11 was the first thing that I wanted to advance to you on that.

12 FEDERAL CO CHAIR NE MEYER Julie, can I ask a question? Was the
 13 BBNA to BBA on their annual agreement in the adaptation....

14 COMMISSIONER KATKA: (Indiscernible -- lowered voice.)

15 FEDERAL CO CHAIR NE MEYER Thank you.

16 COMMISSIONER KATKA: The second point was on the sense of
 17 urgency. There really is only about 13 months left of this administration and this
 18 reassignment of the Denali Commission. I mean never in my wildest dreams did
 19 I think that President Obama would be up in Kotzebue talking about the Denali
 20 Commission. I mean I honestly never could have imagined that. Let alone for
 21 him to get what is going on in this state with the Native people in our
 22 communities and the need for the federal government to be effective in what
 23 they're doing with the challenges of our people. And the fact that President
 24 Obama flew over Kivalina and saw visually, himself, first hand, plus his top

1 people, the absolute danger that those people face, only being one big winter
 2 storm away from either losing life or being totally -- evacuating the entire
 3 community, and have the president of the United States and all his top people
 4 totally get that. And like I said I think it's unprecedented in my work that I have
 5 done with the Native communities to see this level of engagement and
 6 understanding, as well as willingness for the administration to work with us to do
 7 whatever they can do. And so, obviously, my sense of urgency, having a seat on
 8 the commission, I want to see the commission be as effective as possible and
 9 take advantage of that historic tagging of the commission to step up. And it's
 10 already been 60 days since the president did this and I think that we're really
 11 burning daylight and not coalescing as a group and working together and putting
 12 on the table what we need to do to effectively do our job. And so we -- I just want
 13 to let my fellow commissioners know that we have been really active in going
 14 forward with this, just because the sense of urgency, it did impact our people, it
 15 impacts all Alaska. During our internal briefings of the administration, prior to the
 16 president's visit, we were actively involved in that for almost a year. But very,
 17 very heavily involved almost on a daily basis for three and a half months before
 18 the visit. We have brought up the Denali Commission. We have brought up our
 19 concern about rural infrastructure and what climate change is going to do to
 20 undermine our schools, our clinics, our economic centers of activity around the --
 21 I mean our community buildings or houses, that this is very real for our people.
 22 And so we have been -- in trying to bring this to the administration's attention
 23 what are strategies that people are in and to see what can be done to be helpful.
 24 When we first brought up the issue of climate resilient infrastructure and

1 assessment of what communities and what structures are most at risk on that,
 2 the administration said if you have the delegation ask us, we will do that
 3 assessment for you so you will have that, community by community, all the major
 4 things on that. When we raised that with our Congressional Delegation, Senator
 5 Murkowski said no, let the Denali Commission do it. They ought to be the ones
 6 dealing with this. So this is over a year ago that our delegation was saying things
 7 like the Denali Commission can fit a really critical role dealing with the challenges
 8 that our communities face. As we became aware that the number one issue that
 9 the president was coming up in this state was to raise the visibility of climate
 10 change and what is actually happening. And I don't know if the commissioners
 11 took a look at Dr. Holdren's Power Point slide on his -- and he's the president's
 12 top scientist -- it was a compelling presentation on the science on what's going
 13 on. And I just was so thankful that it was a wide audience of people taking a look
 14 at that. Like I said, I could go into tons on the president's visit, and that's not my
 15 point in doing that. But basically we know that there were about 80 commitments
 16 made by the president on his trip to Alaska over a three-day period, and that they
 17 have tagged specific people for the follow-up for those commitments. And that is
 18 Ambassador Mark Brzezinski, who was on the call when the last time he was
 19 with us, is the person handling that. And the Arctic Executive Steering
 20 Committee is the group. And it's vitally important that we take this responsibility
 21 really seriously and step up to what we can do. And so the first thing I wanted to
 22 raise, and maybe this is where the lieutenant governor might want to chime in, is
 23 how we operate as the Denali Commission, as commissioners, and not so much
 24 the policy and the programs that are on the table, but kind of what are our

1 guidelines on how we're going to operate to step up to this thing. I think that we
 2 need to talk about that and agree to that, because I do think that the
 3 administration is looking for a signal that the Denali Commission is a functioning
 4 entity and the commissioners want to be engaged. And so rather than just
 5 adopting policy on that, just the discussion of the common courtesy guidelines on
 6 how we operate. I think that's our first step that we ought to talk about that could
 7 help move us forward. Do you want to address that?

8 COMMISSIONER MALLOTT: I don't know how the Denali Commission
 9 acts on agendas that are placed before the commission members, whether
 10 there's a motion to adopt or whether they are just accepted as is. So I've looked
 11 at the agenda. I've looked at the issues before us. Some people have told me
 12 that being state co-chair is worth a bucket of warmspit in terms of the role of the
 13 state co-chair relative to the other commission members on this organization. If
 14 you read the statute, that's essentially the truth. A co-chair really has no
 15 substantive meaning. But I also know that the Denali Commission is at a place
 16 and time where a substantive, bright line, reset of what it is and what it can be
 17 going forward needs to take place. I don't know what is the best time to begin,
 18 but why not right now? I'd had the opportunity on several visits to Washington,
 19 D.C., to talk with federal people involved with the initiatives that have been
 20 proposed by the federal administration. The sense that I have of the actions that
 21 the Denali Commission needs to take going forward, I don't see in the agenda
 22 before us. And I apologize for that, because I have no basis to really evaluate it
 23 except by what I see and have heard and believe that this commission needs
 24 going forward. The issue of the role of the commission members, I think, can be

1 dealt with on a straightforward basis, subject to challenge, but what the hell. I
2 would simply propose, for example, that the commission members vote on every
3 action taken unless it is otherwise agreed to by unanimous consent. I would
4 suggest that the agenda be developed in consultation by the two co-chairs, with
5 other commission members, and ratified formally at a meeting -- at each meeting
6 of the commission. I would suggest that we take action as the commission
7 members deem appropriate. And in the context of issues of ethics, deal with
8 those as they might arise as opposed to trying to create a blanket response. I
9 have been engaged with many, many institutions, but never one like this where
10 essentially what has been created in order to give a commission leadership
11 comprised of those within a community, in this instance the state of Alaska, to
12 bring their expertise and their knowledge and their focus and their experience
13 and their capacities to the table and having that inhibited in such fundamental
14 ways. I've never experienced that before in my entire working life. And I've
15 worked in the federal government. I've worked in the state government. I've
16 worked in the private government. I've worked in NGOs. And I've never
17 experienced this before. So to me, it's just basic management. The commission
18 members help develop the agendas, that the co-chairs, which is typical, have the
19 responsibility for putting an agenda together. At each meeting, the commission
20 adopts it. That on actions that are to be brought before the commission that the
21 members vote on those unless they are otherwise approved unanimously or by
22 consent. With respect to where the commission is right now, I think the most
23 important thing that the commission needs to do is to reset its relationship with
24 the federal government in such a way that we can begin immediately a dialogue

1 with the federal officials who have essential, in my judgment, control over this
 2 institution and have policy responsibility at the federal level for their engagement
 3 with this commission going forward. That is not a day-to-day work-a-day activity.
 4 At this point, it is a high level policy responsibility. And in my judgment, it is the
 5 policy of the commission members to establish. So I would propose as an
 6 agenda item that we vote, or otherwise authorize, that the full commission meet
 7 with Ambassador Brzezinski and John Haldren in order to begin a conversation
 8 as to exactly the role and purpose, funding, organization of the Dendri
 9 Commission going forward. It seems to me that that's just fundamental and
 10 critical to where the Dendri Commission is right now. I think that as part of that
 11 strategy, and it is a strategy, that the commission, that is the commission
 12 members -- and I've had some discussion with Julie about this just along the
 13 lines of how do you reset, how do you let the federal government know that
 14 there's a place that you think you can begin a reset of a relationship with those
 15 policy leaders? The Dendri Commission budget in 2007 at the start of the
 16 Obama administration was at \$85 million. It was at a point where the budget had
 17 been declining to some degree, but after that it began a very precipitous decline
 18 to where it is today. That happened within the purview and responsibility of this
 19 administration, certainly in conjunction with the Congress. And it would seem to
 20 me a good starting place. You inherited this institution. It had a budget of \$85
 21 million in 2007. We'd like to start the conversation there. It had a mission going
 22 forward that no one has otherwise preempted or said was not still relevant, but
 23 we recognize that circumstances have changed in a very significant way, and we
 24 view that it is time for us to have a collective discussion with you about what the

1 funding streams, what the priorities are going forward. My meetings in D.C. with
 2 OMB and with the Department of the Interior and with the Congressional staff
 3 and with Senator Murkowski and Senator Sullivan, themselves, seemed pretty
 4 clearly to suggest that this reset was absolutely necessary, and that initiative on
 5 the part of the commission itself was critical to showing the federal establishment
 6 that there was life in the body yet. I'm making a jocular comment, but I'm
 7 dead serious. I had a statement by a very high federal official say to me, the
 8 Denali Commission needs to show its will. And I puzzled over that, because I
 9 was -- you know, I'm just coming onboard. I don't understand all of this. So
 10 those observations and suggestions are ones that I would make that we act on at
 11 this meeting. Quite frankly, I'm not ready for ethics training, and I won't submit to
 12 it until I understand fully what the role, the function, the purpose, the mandate of
 13 this institution is. Otherwise, none of that matters. So I don't believe that it is
 14 timely for us to be establishing workgroups and focus -- now I recognize fully that
 15 even with that \$10 million, there are programs and efforts and there are activities
 16 under way. And those certainly need to be maintained and monitored and acted
 17 upon. To the degree that those are, and there are actions that this commission
 18 needs to take at this meeting relevant to those, I believe we should act.
 19 However, relevant to any activity going forward, I think that the commission
 20 needs to meet with the federal officials who have the whip hand -- they
 21 essentially have the whip hand in determining the future of the Denali
 22 Commission, that it should take place very soon, and that should be our critical
 23 focus. Now, I say that with all due respect of a new member. There are likely
 24 activities within the framework of the agenda that has been proposed that it is

1 timely that we act upon. But I've had conversations with several of you about
 2 aspects of all of this and that's the conclusion that I've come to. And I believe
 3 that we need to act upon that at this meeting in order to facilitate the kind of
 4 timely discussion we need to have with federal officials at key policy level in
 5 order to deal with this commission's future.

6 COMMISSIONER KITKA: Well I'll go ahead and jump in next
 7 (indicating). One, I totally agree with you on that. And it kind of goes with my
 8 sense of urgency and daylight burning with this administration with this reset of
 9 the idea of starting out with the administration saying we want to have, as our
 10 base funding, what was on the table in 2007 for the Denali Commission at the
 11 start of the Obama administration. We need to make a motion and forward that
 12 back to the administration, is that's where we need to start from. But then we
 13 also need to advance proposals to graft on the disaster resilient work to that
 14 effort. Because, again, if you take a look at our state and the fiscal crisis with the
 15 state budget and revenue thing on that, there's unlikely to be any capital budget
 16 for rural washeries or health clinics or any of the critical ones that some of our
 17 communities are really needing. It's going to be the federal government that's
 18 going to do it. And I don't -- I think that for the Denali Commission there's two
 19 paths. We turn into a policy thing where we sit around and we talk about ideas
 20 and that's all we do or we reset it to where we become a grant making entity
 21 again. And I, myself, when I take a look at the state fiscal situation and I take a
 22 look at the critical needs, I opt for going to the path of being a grant making entity
 23 again and reset it. What I would propose that we do, besides taking action on
 24 what the lieutenant governor said on adopting the discussion about the agendas

1 and all the commissioners do that, and then adopting -- the full commission meet
 2 with Ambassador Brzezinski and Dr. Halden, but that we also take action
 3 conveying back to them that we feel that the starting point for discussion is the
 4 2007, at the beginning of the administration, and that we bump that up with
 5 disaster resilience. I would also -- and like I said, I've been spending a lot of time
 6 thinking about that, but I would also pick up some of the initiatives the
 7 administration's been doing where we want to continue the discussion. Again,
 8 this goes into what's on the table back in D.C. on that is strengthening
 9 public/private partnerships in dealing with this. The Denali Commission is
 10 uniquely positioned to strengthen that. I would add, besides that 2007 funding
 11 level, that we want to be in the Highway Bill that just passed out of the House
 12 today. And on the Senate side, and we need to be included. And we need to
 13 restore the transportation for the village ones, if not highway for emergency
 14 roads for evacuations for the communities that got to get the heck out of there
 15 during a storm. So we need to convey immediately back there, we need that
 16 funding stream from that. But I also think in furtherance of the federal/state
 17 partnerships -- I mean the private/public partnerships, we need to ask the
 18 administration to put within the Denali Commission the ability to work with the
 19 private sector to leverage additional private sector resources. I did get one
 20 phone call from a person working there that said we'd be willing to take
 21 resources to look at new financial models for doing that and I said I'd convey that
 22 everybody. And I think that's the case. But I also think we need to tell them that
 23 they need to plug up tax credits into the Denali Commission so that we have
 24 something on the table to deal with the private sector to build some of these

1 things. So I would put the 2007 base funding, plus-up the disaster resilient
 2 adaptation work that needs to be done, the Highway Transportation Program
 3 reset, and then tax credit incentives for us to build out a public/private
 4 partnership. And all of this needs to go immediately back there, because the
 5 president's budget is near its final stages right now. It will come out publicly in
 6 February. And the more that we get into the president's budget, the easier it is
 7 for our Congressional Delegation to protect it to be in there. So I think we put
 8 those on the table. We have the immediate meeting of the commissioners on
 9 that. And then we go forward. And I also agree with the lieutenant governor on
 10 the workgroups. I think we're at a point where we, as commissioners, need to
 11 work together on this until we've got this reset, and then do workgroups, but not
 12 do workgroups and then where we catch up. And so I would be in favor of
 13 tabling the workgroup discussions until after we've had our DC meeting with the
 14 officials on that, after we put our best effort to try to get our concerns included in
 15 the president's plus-up of his budget. Because the very next stage after that is
 16 sitting down with our Congressional Delegation saying this is what we were able
 17 to get into the president's budget as a result of the trip, how can you help us
 18 protect it to stay in there or do you have better ideas? But we need the
 19 delegation in there to protect to do that. And again, the reason why we jumped
 20 into this right early is we were hearing from our people in the communities that
 21 they need the help today. You know? They need it today. I mean some of the
 22 communities are one big winter storm away from either deaths in their community
 23 or total evacuation of the community. And when you see that El Niño is going to
 24 be kicking in and California is going to get three times the rainfall and snowfall

1 that they've gotten, and you see all the other effects, that big blob of warm
 2 weather in the Pacific Ocean, and you're seeing that the weather changes are so
 3 unpredictable -- and we don't know how that's going to go. I cannot put the
 4 people that are at risk, their lives in danger, that we haven't done everything that
 5 we can to pay attention to it. And I would do so -- and when we're taking a look at
 6 resetting the Denali Commission's mission as being a one-stop shop, we have
 7 got to have the management capability where we're tracking in real-time what is
 8 going on in the communities. And when -- I mean the Denali Commission, in
 9 some kind of dashboard or whatever, needs to know what is going on in our
 10 communities and result these distress communities. We cannot have a Denali
 11 Commission that reads about it in the paper -- the Alaska Dispatch to say, oh,
 12 they just flooded in Unalakleet and all this stuff. We have got to build in our
 13 partnerships with Homeland Security and with the State and the National Guards
 14 and everybody where we have real-time information and responsiveness in this
 15 reset, otherwise we're just a study group. And I don't want to be part of a study
 16 group. I want to be a part of one that takes advantage of this historic opportunity
 17 and makes a difference. And I do think that the people that have invited us to
 18 join in that discussion and do that are at a serious enough level that they can at
 19 least meet us halfway on what we're wanting to do. But if we don't put forward,
 20 they're not going to even know they need to be doing that. And so that's where I
 21 come out of on this. And I can spend a lot more time, but that's -- that's the
 22 highlights of my thoughts.

23 MR. WHITTINGTON So....

24 FEDERAL COCHAIR NE MEYER Go ahead Go ahead, John

1 MR. WHITTINGTON I was just going to remind the commissioners that,
 2 you know, we are actually into FY16. And that this is sort of a practical piece that
 3 in order for the -- whether it's the grant making model that we retain or we do
 4 something new thing, that we -- the commissioners, the staff only implements
 5 the direction of the commissioners. So one of our hopes has been that -- right
 6 now as of yet, we have not -- commissioners have not yet said here's what we
 7 want to do with the FY16 funding. And our hope had -- was that a commissioner
 8 led workgroup operation could be utilized to develop recommendations for
 9 programs and initiatives between now and January. And that at the January
 10 meeting, which is our next -- assuming that the schedule is adopted, which I
 11 would hope we would do, but assuming that the schedule is adopted, the next
 12 long meeting would be in January. And that the workgroup, whatever
 13 workgroups the commission elected to form, would be able to come back to the
 14 commission as a body to say here are the five, six, seven, eight or however
 15 many good ideas, recommendations, that we can make for funding, but yet we've
 16 only got funding for, say, three or four. And so you then have a follow-up
 17 discussion amongst the commissions about which of these, out of these eight or
 18 nine good ideas, which are the three or four that we're going to fund for FY16.
 19 January is already late in the year, but it provides enough time for staff to
 20 implement. One of my concerns is that if we don't -- I don't think, and I don't
 21 believe commissioners want to go back to simply approving a list that's coming
 22 down from AVEC and AEA on here's the energy projects that we want to do for
 23 the next year. I don't think the commissioners want to do that. So this -- part of
 24 this proposal was to put together a process by which commissioners could

1 determine in workgroups, and then subsequently in full meetings, what are the
 2 priorities for the commission and that would lead to funding decisions. And so
 3 one of my hesitations and what I'm-- and so far in our discussion, is I don't want
 4 to lose sight of sort of the practicalities of we need to make -- or not we, the
 5 commissioners need to make funding decisions in a sufficient timeline that staff
 6 can implement.

7 COMMISSIONER KITKA: I think you brought up one thing I forgot to
 8 mention and that is the reauthorization of the Denali Commission. We are not
 9 authorized now. We need to be reauthorized. So that is the other motion I'd like
 10 to have the commissioners do is urge our Congressional Delegation to
 11 immediately reauthorize the Denali Commission, together with some technical
 12 amendments to our statute. And the technical amendments, the number one one
 13 is to deal with this conflict of interest, the thing that is preventing us from
 14 making decisions, so deal with that. And the second one, which I would ask
 15 them to do, is to-- with the resources that are coming into the Denali
 16 Commission for dealing with these communities that the match requirement, the
 17 community match, be waived. Because if you are talking about distressed
 18 communities, they are not financially able to come up with the match thing on
 19 that. And I'm afraid we may have to bypass some of the projects on that if they
 20 can't do that. So the rest of how you would restructure or redo the Denali
 21 Commission, you can do it at another late date. But I think that we urge Senator
 22 Murkowski, and whether or not they put it in a rider in December on these
 23 appropriation bills, the Denali Commission was authorized in an appropriation
 24 bill, a reauthorization so we get that off the table so we've fully authorized to be

1 operating. We get that conflict, technical thing. We do the match thing, wiped
 2 out. And then I leave any other major changes that people want to have to the
 3 statute itself, because we could spend months rewriting that whole thing with
 4 your ideas, Vince's ideas, my ideas. And in my view, that's burning up critical
 5 time in this administration to get the funding streams that we need to do the work.
 6 Because I happen to think that everybody that's around the table, you know, the
 7 commissioners on that are committed, bright people, and we could make any
 8 system work if we have the will to do it. And I'm willing to trust everybody that's
 9 around it that people want to make this work. So I would entertain a motion to
 10 have us, formally as a commission, request our delegation to reauthorize and
 11 deal with those technical amendments. And then, like I said, in the spring time if
 12 we want to spend a meeting or do open meetings with our communities to get
 13 ideas and further changes to the statute, maybe there's other things that we want
 14 to do on that, that we can take care of it at that time frame. So that was my --
 15 thanks for reminding me that I had another item.

16 MR. WHITTINGTON: No problem. I also wanted to point out that the
 17 three items that were sort of initially were leading the agenda, the decision
 18 making model, the schedule, and the meeting policy, all of these -- I refer to
 19 these as procedural matters, because they don't dictate whatever the substance
 20 may be. I view this sort of as creating a bucket. And what commissioners elect
 21 to put in that bucket is up to the commissioners and they can change their mind
 22 from year to year. So my hope is that as we move forward, I think there's, for
 23 instance, a value in having a set schedule. I mean it's sort of simple and basic,
 24 but I -- we're all -- everyone is busy. I think there's value in having a schedule. I

1 think that the meeting policy is just a policy. It just allows -- it just describes when
 2 a meeting needs to be public and when can it be a working group. Whether the
 3 commissioners form a working group or not is again up to the commissioners.
 4 But yet once the policy is established, it becomes an option. Decision making
 5 model, it just simply identifies that commissioners are, of course, decision
 6 making, but there are different tiers. And it's a question of how far down the
 7 rabbit hole do the commissioners want to go. In the meeting materials, I included
 8 in -- and in my meeting I included, to the best of my ability to do graphics was
 9 the pyramid. And I'm trying to do -- what I'm trying to describe is that obviously
 10 commissioners are decision making, but the question is do commissioners make
 11 decisions -- they can make decisions at a strategic level, at a program level, or at
 12 a project-specific level. And the ethical piece, assuming we don't make -- have
 13 changes to the statute, which a statute change can happen in six months, it could
 14 be six years. We all are familiar with how that statute changes are -- may
 15 happen or may not happen. The decision making model is an attempt to say, on
 16 the part of the commission, we're going to take charge of our own future and try
 17 to, as best we can, minimize the ethical restraints. And this was actually
 18 resulting -- I was thinking in this regard anyway, but the lieutenant governor in
 19 July, you know, said it very well. You know, he tasked Joel to say, hey, let's
 20 figure out a way to structure our decision making that minimizes the ethical
 21 issues and restraints. So this decision making model that's before you is the
 22 result of that, along with just my own thinking. And so the question is, as an
 23 example, do commissioners want to be involved in the decision making of do you
 24 put a bulk fuel facility in Rialto Station or should it go in Saint Mary's. You know,

1 that's the project level. And that's also where the ethical issues arise, because
 2 now we have a clearer if you want winner and loser. Do you adopt a -- we're
 3 going to describe the program, you know, whatever it may be, energy efficiency,
 4 community energy planning, is it a competitive process, is it not a competitive
 5 process, these are the kind of pro -- you know, who's eligible, what are the
 6 selection criteria. My suggestion to commissioners is that if you define the
 7 programs, who's eligible, what's the purpose, how is this going to function, who's
 8 the authority to select the projects with the report back mechanism, I'm going to
 9 suggest that that's a direction and you're really -- the commissioners are
 10 truly driving the agenda of the agency. And yet they're doing it in a way where,
 11 from my perspective as the ethics official, I don't have any -- I have very few
 12 concerns. Because at the program level, I can't tell you that Saint Mary's is
 13 going to benefit over Rial Station or any other community, because it's a
 14 program. So it's a way of capturing real decision making, really driving the
 15 agenda without the interruption and constraints of ethics. So what I'm -- so those
 16 are the three items. And I think if we pull those three things together, I think
 17 there's value in those things. Because you can still, for instances, if you have an
 18 ETC environmentally threatened community workgroup, you can still have the
 19 commissioners gather up in wheel and go talk to Ambassador Brzezinski. You
 20 know, only those items can be....

21 COMMISSIONER KATKA: Just from my vantage point is I'm not
 22 questioning the value of what you put in there, it's the timing for us spending our
 23 time on that is not today, and it is not until after we have seen what we can get in
 24 the president's budget. So we need to know what streams of revenues that

1 we're trying to do, because our decision making on highway money may be
 2 different than we have on training money. And I would rather take the chance of
 3 trying to restore us back to 2007 levels and get the plus-ups and the other ones
 4 and then figure out the decision making thing, rather than spend all the time on
 5 that one and then miss the opportunity where we're putting all our requests on
 6 Senator Murkowski in January to say this didn't make it in the president's budget,
 7 can you take care of it. It's a lot easier to try to get it in ahead of time and have
 8 her defend it or add additional ones. And so I'm not objecting to talking about
 9 what you prepared, and I'm not saying it's not good work, but you did -- I just
 10 don't think the timing of it today is relevant to my sense of what we need to take
 11 care of. We can put that off until January, and I don't think we're in any problem
 12 doing that.

13 COMMISSIONER WASSERMAN: Okay. And if -- I agree with Julie. I
 14 appreciate your work on this, John, and I know it needs to be done. But it seems
 15 to me that in the world that all of us commissioners live in, I mean we have to
 16 practice this stuff all the time in our meetings so it's kind of a pretty easy
 17 technical fix that we can -- I mean we have to run meetings all the time. And it
 18 just seems one thing that you said stood out to me about these were the three
 19 main drivers of the agenda. And I thought, whoa, we've just been handed the
 20 biggest thing that's happened to the Denali Commission. That should be the
 21 driver of this agenda. I was hoping the driver of this agenda would be all of this
 22 disaster resilience that we've just been handed. I think we need to get on this
 23 immediately. And the other stuff, we can put it together, but it shouldn't really
 24 take us very long.

1 FEDERAL CO CHAIR NE MEYER Vince?

2 COMMISSIONER BELTRAM: And I think it's a matter of prioritization.

3 And I agree with Julie. I think doing the workgroups is a good idea down the
4 road, but I feel like there's a window that we might miss if we don't -- I mean what
5 Julie has laid out here, a handful of items, these are big items for us to discuss
6 and move on. And I think that -- I mean I'm actually a little excited about it.
7 About a year ago or more, we were talking about are we going to try to do
8 something big or are we just going to be a maintenance operation or....

9 COMMISSIONER KITKA: Or are we going to shut down.

10 COMMISSIONER WASSERMAN: Yeah.

11 COMMISSIONER BELTRAM: or are we going to shut down or are
12 we just going to figure out a way to manage the infrastructure that we've already
13 invested in with the few remaining funds we have. And the Arctic initiative is like
14 the new, you know, bump in that to, I think, completely agree with Bryon that it's
15 an opportunity to step up and reset the mission and do something big and bold
16 again, and that that's where we should probably focus our energy right now at
17 this meeting. I think, you know, in light of what the state's facing with the budget
18 challenges and money coming into the state, when I start looking at the
19 possibility of restoring back to an \$85 million budget, and whatever else is
20 plused-up, we're talking about economic activity in the state of Alaska is going to
21 help fill the gap that the state's facing a challenge on, for one. I mean it's one
22 piece. So I really think that's the direction, I agree completely, we should be
23 heading in that direction.

24 COMMISSIONER JOHNSON: I agree.

1 MR. FARMWALD. I've got a comment. This is Jay.

2 FEDERAL CO CHAIR NE MEYER. Will you already took part of your 10
3 minutes. And you're going to keep us from lunch here so....

4 MR. FARMWALD. Can I have 60 seconds?

5 FEDERAL CO CHAIR NE MEYER. Please fire away, Jay. It was my
6 way of announcing that when Jay's done, we'll grab lunch, we'll come back, and
7 then we'll continue our conversation. So, please.

8 MR. FARMWALD. Getting some traction, daylight's burning, you know, I
9 fully agree with Commissioner Ktka. The \$2 million that has already been
10 approved for the ETC Initiative, from my perspective as director of programs,
11 forming a workgroup that can engage and talk about how to invest that \$2 million
12 is a priority for me.

13 COMMISSIONER JOHNSON. And so is that in a category of the items
14 that Byron mentioned or, you know, time sensitive, need to get approved quickly?

15 FEDERAL CO CHAIR NE MEYER. I think it gets to the question that
16 Byron raised about showing that there's will. Quite frankly, I'm surprised to hear
17 that from D.C. I've been told that at the OMB level they brought together a
18 number of federal agencies, you know, senior leadership this summer and they
19 asked who has money available to start putting to this effort. And at the time, no
20 one was able to come up with any money. Independent of that discussion, you
21 guys, the commissioners said we want to put \$2 million to this effort. So it was a
22 happy coincidence that these two different parallel paths converged. But it was
23 the Denali Commission who took the action. So I think, in many respects, the
24 commissioners have already demonstrated will. I think there's another -- what

1 Bryon and Julie have talked about is going back and having that conversation,
 2 whether we bring them here or whether we go back there, having the
 3 conversation saying we are here, you know, we're ready to take this on. That is
 4 the further demonstration of that will.

5 MR. FARMWALD: And we've got \$2 million to take, you know, a bit a
 6 small step, the first step. You know, we've got resources committed

7 FEDERAL CO CHAIR NE MEYER: And commissioners can choose to
 8 commit a portion or all of the discretionary money in FY16 to this effort.

9 MR. FARMWALD: FY16 is also available

10 COMMISSIONER KITKA: But you see what I mean as far as missed
 11 opportunities like the Highway Bill that just passed today? The Appalachian
 12 Commission is in there getting highway money. The Denali Commission is in
 13 there getting nothing. Right? And so we are missing opportunities. We have to
 14 step up that and get those things out to our delegation and to the administration,
 15 otherwise we're going to be sitting in with the \$14 million next year and saying
 16 there's these tremendous needs that people are begging for help on that and we
 17 just can't do anything.

18 MR. FARMWALD: I totally agree with that as well.

19 FEDERAL CO CHAIR NE MEYER: So shall we take a 10, 15 minute
 20 break, go over and get lunch, and come back and continue the conversation?
 21 Does that sound good, everyone? Okay. For those online -- we're going to mute
 22 it?

23 MS. CABANA: We'll mute it.

24 FEDERAL CO CHAIR NE MEYER: We're going to mute it. And we'll

1 probably come back in about 10 to 15 minutes and we'll have our lunches and
2 we'll start the conversation. Thank you all.

3 THE REPORTER Off the record at 12:09 p.m.

4 (Off the record at 12:09 p.m.)

5 (On the record at 12:28 p.m.)

6 THE REPORTER On the record at 12:28 p.m.

7 COMMISSIONER KITKA: I move to reauthorize the Denali Commission
8 and to make several technical changes to ensure that the commission can fulfill
9 its mission....

10 COMMISSIONER WASSERMAN: I'll second....

11 COMMISSIONER KITKA:namely the conflict of interest policy of the
12 commissioners and the local match.

13 COMMISSIONER WASSERMAN: I'll second that.

14 FEDERAL CO-CHAIR NE MEYER: So do you want to do them one at a
15 time or would you....

16 COMMISSIONER KITKA: I thought if we did them one at a time then
17 we'd have a discussion on it....

18 FEDERAL CO-CHAIR NE MEYER: Okay.

19 COMMISSIONER KITKA:so people can say great idea, bad idea.

20 FEDERAL CO-CHAIR NE MEYER: Okay. So we got the motion to ask
21 the delegation to reauthorize, specifically to look at conflict of interest questions
22 and local match. So discussion?

23 COMMISSIONER WASSERMAN: Great idea.

24 COMMISSIONER JOHNSON: I'll certainly support it.

1 COMMISSIONER MALLOTT: I would just add that there are likely to be
2 many other, either both administrative, technical or even substantive changes
3 that would evolve so this motion is not limiting what the commission members
4 believe should be acted upon in a reauthorization process.

5 FEDERAL CO CHAIR NE MEYER: Yes.

6 COMMISSIONER MALLOTT: Okay.

7 FEDERAL CO CHAIR NE MEYER: Allow me to give some context to the
8 motion and with respect to what staff and I have been doing. The president's
9 FY17 budget process requires agencies to submit by September. And then they
10 have what's called pass-back, which is like in November, sometimes as late as
11 December. And then it gets compiled up with all the other agencies and
12 submitted to Congress in February. The process calls for not only funding
13 requests, but proposed statutory changes. So my suggestion is not only would
14 we want this motion to be directed to the Alaska Delegation, I think it would be
15 good that we direct it to the Federal Office of Management and Budget, which is
16 still in the process of considering the FY17 Budget Bill, which can include
17 technical amendments and that sort of thing to the Dendy Commission. So I
18 would suggest that as a friendly amendment to the motion. Would you be
19 comfortable with that?

20 COMMISSIONER KITKA: Yeah, that's fine.

21 FEDERAL CO CHAIR NE MEYER: Okay. The other is that there have
22 been -- what we've been trying to do in working with OMB on some of these, they
23 have -- they first asked us to work with the Department of Commerce. And John
24 spent a good amount of time working with his counterparts with the Department

1 of Commerce on some of these things. And then the next thing OMB asked for
 2 was that we work directly with the Arctic Executive Steering Committee. So what
 3 I would suggest is we would send this to the delegation and OMB, but we would
 4 immediately inform the Arctic Executive Steering Committee that we understand
 5 that OMB expects a dialogue on these matters with the commissioners.

6 COMMISSIONER KITKA: That would be my second motion. So maybe
 7 we could....

8 FEDERAL CO-CHAIR NE MEYER: Oh, I see.

9 COMMISSIONER KITKA: Question on the motion?

10 FEDERAL CO-CHAIR NE MEYER: I see. I see. Can I ask if -- John, do
 11 you want to add anything on reauthorization?

12 MR. WHITTINGTON: And, Commissioner Kitka, was the motion on the
 13 conflict of interest was that to -- what was the wording on that? I didn't catch
 14 that. Was it to eliminate it, to remove it?

15 COMMISSIONER KITKA: For the Congressional Delegation to do
 16 technical changes to ensure that we can -- the commission can fulfill its mission.
 17 So leaving it to the delegation to sort out the conflict of interest in their technical
 18 changes.

19 MR. WHITTINGTON: Okay. Of course, I guess my only comments on
 20 the conflicts of interest is to try to, I guess, set expectations that I think are --
 21 obviously, Congress can, with the stroke of a pen, completely eliminate all ethical
 22 restraints. My personal opinion is that I think it's very unlikely that they would do
 23 such a move. Part of the perspective I'd asked the commissioners to consider is
 24 if it was not you and it was not -- it was some other body, and you had a group of

1 people who are making decisions about what to do with federal funding, and yet
 2 there were no ethical restraints on that group of people, I'd suspect that you
 3 would think that there was something amiss there. So my suggestion -- my
 4 thought here is that the most practical solution would probably be to take
 5 something that's already existing. As an example the Delta Regional Authority
 6 and Appalachian Regional Commission have a very similar ethical structure that
 7 is somewhat different than our own. They've basically eliminated the 208
 8 standard of ethics analysis and they've put in place something different. It has a
 9 lot of similarities, but there's some important differences. So I could see
 10 practically saying that we should be designed in a similar manner to our other
 11 commissions. It would not eliminate the ethics issues, but it would tweak them in
 12 a way that might be -- well it could be beneficial. So I could see something like
 13 that. I just want to make sure that commissioners understand that the odds are
 14 that there's going to be complete....

15 COMMISSIONER MALLOTT: Mr. Chairman, I'm not about to be lectured
 16 to on this subject. We know that we have ethical obligations and that they must
 17 be met, and we will meet them. What we have found, which I have never in my
 18 experience dealt with, is the circumstance that we are in now. I think the motion
 19 does not contemplate being removed from meeting ethical responsibilities. But it
 20 does ask that in light of the constraints and the inability of the commission to
 21 even act, that Congress look at how we can meet our ethical obligations and still
 22 function at a level that is appropriate to a commission whose membership was
 23 specifically established to bring local knowledge, to bring expertise, to bring
 24 relationships, to bring the full array of local ability to influence and make

1 appropriate decisions, and yet have that ability be significantly constrained by the
 2 ethics regime that it has been wrestling with. That's the extent of it. It is not
 3 about removing any ethical requirements at all. Not at all. So I would not want
 4 the record to reflect the discussion that suggested that that was the aspiration or
 5 the desire of the commission members in any way at all.

6 FEDERAL CO CHAIR NE MEYER Very well. Thank you. I think one
 7 thing I would share is that John and I have spent a lot of time with Justice, OGE,
 8 and OMB and Commerce and we have received a lot of pushback. And so I
 9 think that's what he's reflecting. But I am fully onboard with trying to find some
 10 solution to this. And so I think -- is there any other discussion on the motion? All
 11 those in favor, please say aye.

12 COMMISSIONER MALLOTT: Aye.

13 COMMISSIONER BELTRAM: Aye.

14 COMMISSIONER JOHNSON: Aye.

15 COMMISSIONER KITKA: Aye.

16 COMMISSIONER WASSERMAN: Aye.

17 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining?
 18 Motion passes.

19 COMMISSIONER KITKA: And my second motion is to request on behalf
 20 of all the commissioners that the White House and administration plus-up the
 21 president's fiscal year 17 budget to a minimum that's 2007 level when the
 22 Obama administration took office.

23 COMMISSIONER BELTRAM: Second.

24 COMMISSIONER MALLOTT: Under discussion, Mr. Chair.

1 FEDERAL CO CHAIR NE MEYER Yes, please.

2 COMMISSIONER MALLOTT: This essentially is a starting point for a
3 discussion that needs to take place. I appreciate and support much of what Julie
4 has put on the table. Much of it is nuanced. It goes to what I've been speaking
5 about. It comes from knowledge and an experience and a relationship with the
6 people of the communities to be affected that would otherwise likely not appear
7 on this table. And I would expect that the full range of those recommendations
8 would be part of our discussion with the Congress and the federal leadership
9 going forward. One of the reasons for wanting to do this, in addition to a
10 subsequent motion I believe that Commissioner -- is that what you call
11 yourselves, commissioners?

12 FEDERAL CO CHAIR NE MEYER Yes.

13 COMMISSIONER MALLOTT: Okay. That Commissioner Ktka will make
14 about meeting with the appropriate federal officials and is germane to all the
15 discussion that we've had thus far, is that -- and I didn't mention this, I apologize,
16 I think we all have a strong sense that they're coming to conclusions of their own
17 as to what we should be doing. And they are themselves going down the road of
18 making -- having policy discussions, what should be appropriated, what should
19 be the programs. And if we don't get involved very, very quickly, it could well be
20 that some of the substance of what we believe is important moving forward could
21 well come much more hard fought or might not come at all. So there is urgency
22 here and I just wanted to reflect on that, Mr. Chair.

23 FEDERAL CO CHAIR NE MEYER Thank you. Any other discussions?

24 COMMISSIONER JOHNSON I don't know whether it's appropriately put

1 in the motion, but I think to what Byron and Julie have said today, we do certainly
 2 need to have an answer to the question, you know, in order to do what? I mean
 3 there has to be something substantive and can pull out of there. Right? I mean
 4 we've talked about that a bit, but there's got to be some meat, you know, in the
 5 presentation, I think.

6 FEDERAL CO-CHAIR NE MEYER: Yes.

7 COMMISSIONER JOHNSON: Again, whether it's in the motion or it's
 8 just part of our plan going forward in how we're going to communicate it
 9 (indiscernible -- interrupted).

10 COMMISSIONER KATKA: The background on the 2006 is to fit the actual
 11 funding streams the Denali Commission had in 2007 that we have a track record
 12 on delivering on, and bring those funding streams to that level back to the table
 13 as opposed to letting them go away. And then my third motion will be adding the
 14 new items on the disaster resilience in that. But it is not creating new funding
 15 streams that have not gone to the Denali Commission already. It's all existing
 16 one at the beginning of the Obama administration that were in place that we were
 17 receiving funding from.

18 COMMISSIONER BELTRAM: Yeah, that have dried up since.

19 UNIDENTIFIED MALE: So a rehydration.

20 COMMISSIONER KATKA: Right, right, right. And the key reason for
 21 doing that is we have a track record of delivering on those streams of revenue.
 22 The Denali Commission has many good things that they've done and we've
 23 accomplished. And within those funding streams, we've got to demonstrate the
 24 track record. Take a look at any of those years of what happened and the Denali

1 Commission or Joel or anything could say we did this, we did this, we did this, we
 2 did this. So it is all grounded in the expertise that the Denali Commission has. It
 3 is not pie in the sky that you're just picking a number out there. It's all grounded
 4 in streams.

5 COMMISSIONER BELTRAM: And it's all basically right there on the wall
 6 in those displays.

7 COMMISSIONER KITKA: It is training. It is directives. It's, you know, the
 8 whole gamut.

9 MR. FARMWALD: And if I may? I've had staff preparing an investment
 10 summary, a historical investment summary, for all the different programs. We've
 11 broken it down into subcategories for health, for just as an example, primary care
 12 versus hospital related directives versus EMS equipment versus long-term care.
 13 And we've got the data here that shows what the investments were in dollars,
 14 number of projects, number of communities impacted. And it's a nice, concise
 15 document that covers all the programs that could be, perhaps, good background
 16 information for the \$85 million ask.

17 COMMISSIONER KITKA: But I do think that what you need to do is
 18 you have that then you have to have the unmet needs.

19 MR. FARMWALD: Yes, absolutely.

20 COMMISSIONER KITKA: You need to say how many health directives do
 21 we still have to do, how many energy, how many this -- that's got to be in front of
 22 them that they say the business is not done. You know?

23 MR. FARMWALD: Right. And to that point.....

24 COMMISSIONER KITKA: But thank you for doing that. I'm really

1 anxious to take a look at that.

2 MR. FARMWALD: To your second point, Julie, Tessa has gone through
3 the list of the original 200 plus communities in the state that were in the original
4 unmet needs assessment dated 2000 that you're familiar with and we're
5 annotating which communities have not yet been served. And so that would be
6 the sister document to this saying here's what we've done, here's our proven
7 track record, here's what still needs to be done.

8 COMMISSIONER KITKA: I have one third item, which would be really
9 helpful, is the really, truly innovative things that you've done. And I'll use the
10 example of the fourth module health director that was a movable director. That is a
11 very innovative -- a very timely innovation. There ought to be a banner for the
12 Denali Commission in immediate change. We already developed a model that could
13 do it. It could be -- you know, I mean -- so but what you've done, your unmet
14 needs, and then some of the banner things that are just really relevant to that.
15 And like I said, I think all of that would be helpful for the commissioners in the
16 discussion.

17 FEDERAL CO-CHAIR NE MEYER: Katie, you want to say something?

18 COMMISSIONER WASSERMAN: Yeah. I would just -- and I don't know
19 when you finish this, Jay, but I would appreciate getting some of this stuff
20 because, I don't know about other commissioners, but, you know, I've been
21 taking these Arctic issues to D.C. with organizations, national organizations, that
22 I belong to as well. And one of them has spent the last six years fighting with the
23 Department of Interior says is our biggest issue, which is wild horses and
24 burrows. And I wasn't aware of that being because we don't have any wild

1 horses running around, at least southeast, that I've noticed. And I've just been
2 able to get this on the agenda of the National Association of Counties. So some
3 of us need this information to take on to other people, because it isn't just us
4 here. I mean we've got other organizations that need to hear this, or I need
5 background when I go to D C for these meetings as well.

6 MR. FARMWALD: Yes. In particular, you know, in meeting with you in
7 Juneau recently, we heard what you said about that need so we're developing
8 this. It's not quite finished yet.

9 COMMISSIONER WASSERMAN: Okay.

10 MR. FARMWALD: But it's -- I wanted to let commissioners know that it's
11 (indiscernible) it is in process. And I think it will be very useful. And as soon as
12 we get it to the point where it's ready to distribute here very shortly, we will get it
13 out to all the commissioners so you can have that background information.

14 COMMISSIONER WASSERMAN: Okay, thank you.

15 COMMISSIONER MALLOTT: If I could?

16 FEDERAL CO-CHAIR NE MEYER: Please.

17 COMMISSIONER MALLOTT: Katie's comment about horses and
18 burrows. I was at Saint Vincent (indiscernible) the other day looking for items for
19 Halloween costumes for the grandkids. And I saw this, you know, board with a
20 comment written on it. And it said -- and this is a cowboy thing, and this has
21 been one of those really bad days, I don't know whether the rope I'm holding is
22 something I found or whether I lost my horse. And it just struck me as just
23 incredible, you know.

24 COMMISSIONER WASSERMAN: There we go. That's my life.

1 COMM SSI ONER MALLOTT: Well sometimes we feed -- sorry.

2 FEDERAL CO CHAI R NE MEYER We needed that.

3 COMM SSI ONER KI TKA: Question on the motion.

4 FEDERAL CO CHAI R NE MEYER Can I interject before we vote on it?

5 I'd like to speak to the \$85 million and what it's for, the meat. And so I'd like to
6 put some numbers out, which I think are historical. And I'll ask staff here if you
7 can recall if those are correct so that perhaps we may want to visit specific line
8 items or if you want to just rely upon staff to go back and....

9 COMM SSI ONER KI TKA: I had put together specific line items so....

10 FEDERAL CO CHAI R NE MEYER Okay.

11 COMM SSI ONER KI TKA: I didn't share that. I mean I just didn't want to
12 burden the whole commission with tons of paper work on that, but oh no. As
13 we're thinking about how to move forward -- like I said, our sense of urgency of
14 capturing this opportunity, we have been doing tons and tons of work and
15 thinking about this, because we don't -- we've never had that happen where the
16 president has done it.

17 FEDERAL CO CHAI R NE MEYER Right.

18 COMM SSI ONER KI TKA: So, no, we know specifically what line items --
19 and again, it is for the discussion at that level so hopefully they will pick up those
20 streams of revenues and agree with us to include it, because they are looking at
21 strengthening our capacity. It's whether or not they're going to strengthen it with
22 the tribal compacts, whether they're going to strengthen it with the university, or
23 where they're going to do it. It's just putting us forward saying bring us up to this
24 level, we'd like to do this stuff.

1 FEDERAL CO CHAIR NE MEYER Okay.

2 COMMISSIONER MALLOTT: And I think the other thing to emphasize is
3 that this is not written in stone. It's a place to begin....

4 FEDERAL CO CHAIR NE MEYER Right.

5 COMMISSIONER MALLOTT:a discussion that really needs to take
6 place about these kinds of priorities. Because I suspect, and I hope that I'm
7 surprised, that when we sit down with them, they're going to come loaded
8 already.

9 COMMISSIONER KITKA: With their priorities.

10 COMMISSIONER MALLOTT: Yeah.

11 FEDERAL CO CHAIR NE MEYER Well we have the question before us.
12 So all commissioners in favor, please say aye.

13 COMMISSIONER MALLOTT: Aye.

14 COMMISSIONER BELTRAM: Aye.

15 COMMISSIONER JOHNSON: Aye.

16 COMMISSIONER KITKA: Aye.

17 COMMISSIONER WASSERMAN: Aye.

18 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining?

19 Approved 5-0.

20 COMMISSIONER KITKA: The next motion is to request the White House
21 and administration to work with us to identify additional streams of revenue to
22 address the urgent needs of villages which need to be relocated due to erosion,
23 flooding, and other environmentally challenging events. So again, it's laying on
24 additional streams of revenue to that and to work with us.

1 COMMISSIONER BELTRAM: Second.

2 FEDERAL CO-CHAIR NE MEYER: Okay. Okay. Discussion? Well let
3 me speak to this a bit. And this issue has been something that Jay and I have
4 been grappling with since June. And there are so many variables in this. For
5 example, Kvdlina, Shishmarof and Shaktodik have -- they've all said formally
6 they have not taken a decision -- made the decision that they will be
7 moving. So there is -- there could be some question that what is the design
8 wave that will cause, you know, either life or major property damage. And I don't
9 know if we know that answer. So we don't know whether those three
10 communities can be protected in place or they must be relocated. And if they are
11 relocated, where do they go? And so there's a tremendous amount of work, from
12 my perspective, on a number of these environmentally threatened communities
13 on what are the threats, what are the environmental threats, coming to
14 understand what those environmental threats are, and then what are the best
15 solutions to address them. And so there's a lot of variability there. And because
16 of that large variability, it's very difficult, I think, for us to say this should be the
17 number. But having said that, what I see is not only is there Denali Commission
18 money that would be helpful to this -- as you said, Julie, we've reached the
19 conclusion that it would be best if the Denali Commission money could be the
20 federal cost share match. As an example, this \$14 million the Army Corps has
21 available for Shishmarof armor protection, but they need a 37 percent cost share
22 match. Is that about the right numbers? So using that as an example so 37 -- I
23 have to do math, \$5 million. So \$14 million is sitting idle. Federal funds cannot
24 be used. If there was \$5 million -- and of course Shishmarof doesn't have a tax

1 base, there's no way they're going to be able to come up with \$5 million, if we
 2 could use our money, \$5 million to match it, there's \$19 million that would do a
 3 tremendous amount of shore protection. So in many respects, what I see is not
 4 only is it the additional money, but it's some statutory changes that would allow
 5 our money to match-up with many of the other federal agencies. And I don't
 6 know what their limitations are, whether they have -- whether they -- whether
 7 those agencies would actually need language that would allow that to happen.
 8 They may have overarching language that says under no circumstances can
 9 federal funds be used as a match. I'm just speculating. So there's a certain
 10 amount of -- well this is where the Arctic Executive Steering Committee and OMB
 11 would come in that, you know, they would be able to help outline what those
 12 restrictions are so that Denali Commission money could be very effective in its
 13 use.

14 COMM SSI ONER WASSERMAN: But, I mean, don't -- I guess I would
 15 not feel that we need to know all those specifics. I write a lot of resolutions that
 16 may not be grounded in complete truth as to what's going to happen, but it sure
 17 starts the ball rolling and it certainly tweaks someone. And I mean I think this
 18 resolution does that. Do we have to have all those other questions answered?

19 FEDERAL CO CHAIR NE MEYER: No. What I'm -- it does not. I just
 20 want to put on the table for commissioners to appreciate so that if indeed we go
 21 back to D C or they come here and we have a frank conversation with them, I
 22 think one of the conversations needs to be how can you allow our funds to be
 23 used most effectively and here are some of the likely other federal resources that
 24 we may be able to match. And we need to know whether it's not only the Denali

1 Commi ssi on's statutory changes, but it's statutory changes for other federal
2 agenci es. And just make sure that we put that on the table for them to know
3 that's our expect ation.

4 COMM SSI ONER JOHNSEN Yeah. An example in my world is we get
5 lots of federal grants for research. And increasingly, it's in areas of relevance
6 here. And we have matching requirements as well and that would be in federal
7 agenci es, you know, (indiscernible -- lowered voice) for example or others. So
8 yeah, I suspect you're right.

9 FEDERAL CO CHAI R NE MEYER So that's not meant to be part of the
10 motion, just sort of context that -- you know, that's something, moving forward,
11 that I would want to be pushing.

12 COMM SSI ONER MALLOTT: Could I just say that relevant to this motion
13 and the prior one that I continue to emphasize that they're starting points.

14 FEDERAL CO CHAI R NE MEYER Yes.

15 COMM SSI ONER MALLOTT: That I suspect that one of the things that
16 we will be under scrutiny for is this an agency able to change with changing
17 times? Is it an agency able to put ideas on the table that even we, at the high
18 federal level, haven't thought of? Is this an agency that is nimble and flexible and
19 truly carries the voice of the Alaskan communities and people that are affected
20 by the decisions we make? And while we have a proven track record, going
21 forward I think we need to be very nimble in our discussions with these folks at
22 the outset, because I suspect that there is a sense that we are frozen in time, to
23 some degree, that we're very bureaucratic. I'm not making any judgments. I'm
24 just giving feedback with what I hear and what I sense. And that first meeting of

1 commission members and that senior leadership in D C is going to be very, very
 2 critical, because they could blow us off. They could essentially make us
 3 irrelevant. And it's up to us, not them, to prove our relevancy.

4 FEDERAL CO CHAIR NE MEYER Any other discussion? Jay?

5 MR. FARMWALD Is it possible for me to make a comment?

6 FEDERAL CO CHAIR NE MEYER Please.

7 MR. FARMWALD So I've been to a lot of meetings since the president's
 8 visit in the context of specific communities, Shaktodik, Shishmaref, Kivalina and
 9 Newtok. I've been to a lot of other more general meetings where they've been
 10 talking about climate change and resilience and, you know, the HUD Block Grant
 11 that's being applied for by the State of Alaska. It is striking to me that words
 12 mean different things to different people. So if you use the word relocation, some
 13 people interpret that as, you know, only three or four communities. But there's
 14 also a protect in place component to environmentally threatened communities.
 15 So I would not want us to limit, through words that are interpreted inappropriately,
 16 that we're only asking for money for three or four communities that maybe are
 17 the prime candidates for relocation. There is a ton of unmet need out there for
 18 protect in place projects. And that's a much wider list of villages. And so I would
 19 encourage the commissioners to consider, you know, perhaps broadening the
 20 language so that we can capture those projects -- if we get funding, so that we
 21 can capture those protect in place projects as well as those few that might
 22 actually relocate, like Newtok.

23 MR. JOHNSON Question on the motion.

24 FEDERAL CO CHAIR NE MEYER All those in favor, please say aye.

1 COMM SSI ONER MALLOTT: Aye.

2 COMM SSI ONER BELTRAM: Aye.

3 COMM SSI ONER JOHNSEN Aye.

4 COMM SSI ONER KITKA: Aye.

5 COMM SSI ONER WASSERMAN Aye.

6 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining? 5-0.
7 Julie?

8 COMM SSI ONER KITKA: I'd like to make a motion to capture what the
9 lieutenant governor shared as far as guidelines for us interacting as
10 commissioners that all commissioners are given the courtesy of their asking for
11 their input into the development of the agendas, and that they -- all items are
12 voted on by the commissioners unless they abstained or notified that they're in
13 conflict, and that our two co-chairs, our federal and state co-chair, rotate
14 chairing our meeting, and try to make this really harmonious and smooth and
15 efficient.

16 COMM SSI ONER WASSERMAN Second

17 FEDERAL CO CHAIR NE MEYER Discussion?

18 COMM SSI ONER KITKA: It's not a big motion. It's just a little motion.
19 It's just for informal guidelines on that.

20 COMM SSI ONER JOHNSEN I would say also, though, it's important
21 and it really does go to what Byron was talking about in terms of firmness as
22 an expression of our commitment to be really effective. So not only do we have
23 substantive ways we can be more effective, but also these procedural needs. So
24 I think it's actually important.

1 COMMISSIONER WASSERMAN: And I think it's really important
2 because, as Byron says, we could make this or break this. And I think unless we
3 all come to this meeting with even -- even critical thinking, I mean we may be
4 saying, you know, we just don't think that works. At least we show to the higher
5 powers that we're thinking through this. We're not just out there for the money. I
6 mean we have to make this a critically, well-thought-out plan.

7 COMMISSIONER MALLOTT: I would just say quickly that that's kind of
8 the way organizations run. You know, the commission members vote unless
9 there's already unanimity or if there are conflicts that are specifically identified or
10 there's another reason to abstain or to be recused, that it is typically if there -- the
11 responsibility of the chair or, in this instance, co-chairs to bring forward an
12 agenda. But in that process that each member of the commission is consulted. I
13 also think that, again, it's procedural. It doesn't need to be included in the
14 motion, but it could function this way is that the agenda is formally adopted at
15 each meeting. You know, those things are very procedural, but they're also kind
16 of the underlying grease that keeps things moving and understood. So I'd call for
17 the question.

18 FEDERAL CO-CHAIR NE MEYER: All those in favor, please say aye.

19 COMMISSIONER MALLOTT: Aye.

20 COMMISSIONER BELTRAM: Aye.

21 COMMISSIONER JOHNSON: Aye.

22 COMMISSIONER KITKA: Aye.

23 COMMISSIONER WASSERMAN: Aye.

24 FEDERAL CO-CHAIR NE MEYER: Any opposed? Any abstaining? 5-0.

1 Julie?

2 COMM SSI ONER K TKA: Next motion?

3 FEDERAL CO CHAI R NE MEYER Next motion.

4 COMM SSI ONER K TKA: Okay, I d's see. I've got the....

5 COMM SSI ONER MALLOTT: Meet with Hd dren and....

6 COMM SSI ONER K TKA: What's that?

7 COMM SSI ONER MALLOTT: The one meeting with Hd dren and

8 Brzezi nski ?

9 COMM SSI ONER K TKA: Yeah. Dd we -- we already covered that, the
10 meeting with Brzezi nski and Hd dren. The meeting with the Arctic Executive
11 Steering Committee, dd we cover -- is that one of them?

12 (I nd scerri ble -- multiple speakers at the same time.)

13 UN DENTI FIED MALE The question is does it need to be or do we -- is
14 it.....

15 FEDERAL CO CHAI R NE MEYER I don't see a need. From what I've
16 heard from all of you, you want to make it happen.

17 COMM SSI ONER K TKA: Right.

18 FEDERAL CO CHAI R NE MEYER And so my job is to reach out and
19 say we want this, will you do it?

20 COMM SSI ONER MALLOTT: I wou d like to propose it as a motion.

21 FEDERAL CO CHAI R NE MEYER Okay.

22 COMM SSI ONER BELTRAM: And then it's in the record anyway.

23 COMM SSI ONER K TKA: Right.

24 FEDERAL CO CHAI R NE MEYER Okay.

1 COMMISSIONER MALLOTT: That the state and federal co-chair contact
2 the appropriate officials in order to establish a meeting at the earliest possible
3 time, at a place of convenience, with the principle executives of the Federal
4 Executive Steering Committee to discuss going forward function responsibilities
5 of the Denali Commission and relationships with the range of federal institutions
6 involved.

7 COMMISSIONER JOHNSON: Second.

8 COMMISSIONER KATKA: Question.

9 FEDERAL CO-CHAIR NE MEYER: All those in favor, please say aye.

10 COMMISSIONER MALLOTT: Aye.

11 COMMISSIONER BELTRAM: Aye.

12 COMMISSIONER JOHNSON: Aye.

13 COMMISSIONER KATKA: Aye.

14 COMMISSIONER WASSERMAN: Aye.

15 FEDERAL CO-CHAIR NE MEYER: Any opposed? Any abstaining? 5-0.

16 COMMISSIONER KATKA: Another motion (indiscernible) and it is in light
17 of that we have such limited funding and such limited staff here, that we request
18 the White House and the administration to work with us to get additional federal
19 employees detailed to the Denali Commission, who are subject experts in some
20 of these things (indiscernible -- background noise), and urge that any of the
21 member commissioners, their organizations, if you have the ability to detail a
22 certain expertise, whether or not it's for a month or two months or whatever, they
23 be encouraged to do that. But I do think that building up support behind our
24 existing staff, that's working hard, with specific technical expertise, whether or not

1 it's from the Department of Energy, whether or not it's from Homeland Security,
 2 or it's National Security, or whatever, will just increase our potential for increasing
 3 our credibility. So that's my motion.

4 COMMISSIONER BELTRAM: Second.

5 COMMISSIONER KITKA: And just for the new commissioners, we did
 6 this all the time in the Denali Commission. We had so many people detailed
 7 here, it was amazing how many people we had here. We were kind of like
 8 Alyeska Pipeline where Alyeska had all their own companies detail all their
 9 people. That was their workhorse. We had a lot of detailed people and it works
 10 really good. And I would just like to at least put that request in that we would like
 11 that, because that could be very, very helpful to us.

12 FEDERAL CO-CHAIR NE MEYER: Well my comment on that is I was
 13 the sixth employee and I was a detail for five and a half years, so it worked for
 14 me. And so I think that's one end of the spectrum. The other end is our former
 15 I G was detailed for two and a half years. So we want to be judicious in accepting
 16 those details.

17 COMMISSIONER MALLOTT: Just a quick question. Was it a formalized
 18 process or did it.....

19 FEDERAL CO-CHAIR NE MEYER: Largely, yes. In my case, there was
 20 an annual agreement.

21 COMMISSIONER MALLOTT: But I mean in determining -- was it -- were
 22 the detailed employees the result of a collaboration, or the Denali Commission
 23 asking for a specific person, or for an area of expertise, or in the conduct of the
 24 relationship, the agency itself offering? Was it all of the above?

1 FEDERAL CO CHAI R NE MEYER It was all of the above.

2 COMM SSI ONER MALLOTT: Okay.

3 FEDERAL CO CHAI R NE MEYER We would have details -- like I was
4 five and a half years, we would have some detail that might have been two
5 weeks.

6 COMM SSI ONER MALLOTT: I see.

7 FEDERAL CO CHAI R NE MEYER And I remember there were a
8 number of folks, when we were developing the Clinic Program, we brought in
9 from rural areas. Sanitarians and whatnot who knew those particular villages,
10 we'd bring them in to help us with that particular region, trying to develop
11 outreach protocols. And so for two weeks, we paid for their per diem. We paid
12 for the air travel. We worked them like crazy for two weeks and then we sent
13 them back -- and picked their brains. And it worked well. But you have to -- you
14 know, like I say, it can be hit or miss.

15 COMM SSI ONER MALLOTT: Right. Well that's always the case. Could
16 it include other than federal employees?

17 FEDERAL CO CHAI R NE MEYER Oh, absolutely.

18 COMM SSI ONER NI TKA: The university could detail somebody.

19 COMM SSI ONER JOHNSEN I'm thinking of sanitary engineers and
20 many, many other.....

21 COMM SSI ONER MALLOTT: I thought so.

22 COMM SSI ONER JOHNSEN And you probably know a lot of those
23 folks, but we have mechanisms to do that.

24 COMM SSI ONER MALLOTT: Okay.

1 FEDERAL CO CHAIR NE MEYER So let's extrapolate that to the idea
 2 of the environmentally threatened community initiative, you know, depending on
 3 how that goes. One of the biggest concerns we have is how do you look at
 4 permafrost. You know, how do you measure permafrost degradation, not at an
 5 individual site, but, you know, across the state and then try to take some sort of
 6 review of that? It could be, well, you know, you might assign someone from the
 7 Geophysical Institute et al....

8 COMMISSIONER JOHNSON Absolutely. Absolutely.

9 FEDERAL CO CHAIR NE MEYER Yeah. And what we did with this is
 10 sometimes there was a cost share and, you know, we paid for a portion of it.
 11 Sometimes the descending agency paid for everything. You know, it's all
 12 negotiable based upon, you know, what everyone's budget is.

13 COMMISSIONER MALLOTT: Good.

14 FEDERAL CO CHAIR NE MEYER So we have the motion before us.
 15 Any discussion -- further discussion?

16 COMMISSIONER KITKA: Question.

17 FEDERAL CO CHAIR NE MEYER All those in favor, please say aye.

18 COMMISSIONER MALLOTT: Aye.

19 COMMISSIONER BELTRAM: Aye.

20 COMMISSIONER JOHNSON Aye.

21 COMMISSIONER KITKA: Aye.

22 COMMISSIONER WASSERMAN Aye.

23 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining? 5-0.

24 COMMISSIONER KITKA: Another motion, which I should have done a

1 little bit earlier. A motion requesting a letter go out to Senator Murkowski and
 2 Senator Sullivan requesting that the Denali Commission Transportation
 3 Authorization be considered for inclusion in the Highway Bill on the Senate side,
 4 and noting the history we got, I think for six years \$15 million a year. And
 5 requesting that at a minimum it be \$5 million a year, but work back up to that \$15
 6 million a year. That it go immediately to Senator Stevens (sic) and Murkowski --
 7 no, Senator Sullivan and Murkowski. And I think Senator Sullivan is on the
 8 committee that's covering it on the Senate side so he's part of the committee.

9 COMM SSIONER BELTRAM: Second.

10 FEDERAL CO-CHAIR NE MEYER A couple of things about this. On the
 11 MAP 21 language, which we all knew was a two-year bill but was going to be
 12 longer than a two-year bill, I had met with delegation staffers. This would have
 13 probably have been like 2012 so it would have been back when Jeremy Price
 14 was still with Senator Murkowski's office. And so I was meeting with them and at
 15 that time they said there's nothing getting through Congress that looks at all like
 16 an earmark. And if there's going to be any plus-up, it's got to be through the
 17 Executive Branch. So on this particular question about the Transportation
 18 Program, they said, Jod, it's on you, you've got to get it in. Now what I then did
 19 is I tried for about a year and half to meet with the appropriate people at U.S.
 20 Department of Transportation on this question. And what would happen is key
 21 people would turn over, or I'd have a meeting scheduled, I'd-- you know I'd get
 22 there to D.C. and then they were called out. So when I eventually did meet with
 23 them, they shared with me, well, time's too late. You've arrived too late. We've
 24 already drafted the bill. It's going to be moving forward. So I don't know if they

1 really were interested in meeting or not or whether (indiscernible -- background
 2 noise). And the reason why I say that is that the -- Section 309 is the
 3 transportation?

4 MR. WHITTINGTON: I'm not entirely sure.

5 MS. CABANA: Yes.

6 FEDERAL CO-CHAIR NE MEYER: Oh, got it. I turned the
 7 Transportation Program off so we know that. So Section 309 that Congressman
 8 Young got in called for these specific allocations from Federal Highways and
 9 FTA, \$15 million for Federal Highways and \$5 million from FTA. FTA was the
 10 Waterfront Program. Federal Highways was the Road Program. And there
 11 were, I want to say, over 200 similar line items in the DOT budget. And
 12 Congress, when they -- (indiscernible). When they reauthorized -- they didn't
 13 reauthorize, they extended Safety. Well, what they did is, before MAP 21 was
 14 passed, they gave the authority to the U.S. secretary of transportation to declare
 15 any of those 200 as being completed projects. And that's what happened to the
 16 Denali Commission. The secretary declared that those were completed projects,
 17 the Waterfront and Road Program, and that money was no longer needed. And
 18 it wasn't just us. It was many of those 200 across the country got axed. And so
 19 that's why I say I don't know how much interest there is with that -- at the
 20 secretary's office of rehydrating it.

21 COMMISSIONER KITKA: Well, Secretary Fox is in Alaska tomorrow. He
 22 has a roundtable of tribal leaders tomorrow morning.

23 FEDERAL CO-CHAIR NE MEYER: This would be a great time to put it in
 24 front of him.

1 COMM SSI ONER K TKA: And I agree. It may be way too late because it
2 already passed the House, but if we don't put it out there....

3 FEDERAL CO CHAI R NE MEYER Right.

4 COMM SSI ONER K TKA:and the urgency, especially evacuation
5 roads on that, you're not going to get a chance to do that. So I think that -- you
6 know, like I said, we'll give it a try. And if we can get the language in and we
7 don't get any money, at least we have the language for the next cycle that they
8 can try to start earlier.

9 FEDERAL CO CHAI R NE MEYER Right.

10 COMM SSI ONER K TKA: I think we will find Senator Sullivan willing to
11 work with us on this. But if we don't ask him, he's not going to....

12 FEDERAL CO CHAI R NE MEYER Right.

13 COMM SSI ONER WASSERMAN: And if I can say something? And, you
14 know, if any of the commissioners disagree with me, jump in. I would -- I would
15 appreciate seeing a bit of a change of culture here. I know in my organization,
16 when I go up on the hill to the legislators, I mean deep down inside they know
17 that I'm simply a lobbyist. So if I really need some heavy hitting, I send my
18 members. I mean they have a lot more clout than I do, my board of directors or
19 whatever. And I think if we could get periodic reports from you on some of this
20 stuff -- you know, I've had two meetings with Anthony Fox on some issues and I
21 never quite am -- know enough about what's going on in the Denali Commission
22 to really be able to push something. And maybe with this new meeting schedule,
23 we can solve that. But I just think that this goes along with using commissioners
24 in a different way. So that's it.

1 COMM SSI ONER K TKA: Questi on on the moti on.

2 FEDERAL CO CHAI R NE MEYER Al those i n favor, please say aye.

3 COMM SSI ONER MALL OTT: Aye.

4 COMM SSI ONER BELTRAM: Aye.

5 COMM SSI ONER JOHNSEN Aye.

6 COMM SSI ONER K TKA: Aye.

7 COMM SSI ONER WASSERMAN Aye.

8 FEDERAL CO CHAI R NE MEYER Any opposed? Any abst a i n g? 5-0.

9 COMM SSI ONER K TKA: We (i nd s c r i b e), but i t's a l o n g s h o t. We
10 know that's a l o n g s h o t, r i g h t, but we'll try. We'll pick up the moti on on the
11 schedu le, the meeti ng schedu le that was put forward. I'd like to make a moti on
12 that we adopt the meeti ng schedu le for 2016 and that we defer 2017 until it gets
13 a l i t t l e d o s e r. I can't even pred ct what my -- the f d l o w i n g year is

14 FEDERAL CO CHAI R NE MEYER Let's see. Thi s i s h a l f way t h r o u g h
15 the commissi oners' packet s and dated Oct ober 21, 2015, and the title i f F i s c a l
16 Year 2016 Denali Commissi on Meeti ng Schedule. So....

17 COMM SSI ONER WASSERMAN: I'll second that moti on.

18 FEDERAL CO CHAI R NE MEYER When you say 2017, you -- do you
19 mean ca l e n d a r year 2017?

20 COMM SSI ONER K TKA: Yeah.

21 FEDERAL CO CHAI R NE MEYER Okay.

22 COMM SSI ONER K TKA: Ther e' s t h e ca l e n d a r years here

23 FEDERAL CO CHAI R NE MEYER Okay. So what.....

24 COMM SSI ONER WASSERMAN: Bot tom of the page.

1 FEDERAL CO CHAIR NE MEYER What you had proposed is that we
2 adopt the calendar through December 15, 2016? Do we have a second to adopt
3 the....

4 COMMISSIONER WASSERMAN I just did

5 FEDERAL CO CHAIR NE MEYER Oh, you did?

6 COMMISSIONER WASSERMAN Yeah.

7 FEDERAL CO CHAIR NE MEYER Sorry.

8 COMMISSIONER MALLOTT: And I assume that it's always understood
9 that meetings can be called as required, huh?

10 FEDERAL CO CHAIR NE MEYER Yes.

11 COMMISSIONER WASSERMAN Oh, absolutely.

12 FEDERAL CO CHAIR NE MEYER I think we quite likely are looking at
13 trying to have one in D C or here, specifically....

14 COMMISSIONER KITKA: This was just going to pick up on the regular
15 everything so as much that goes regular....

16 FEDERAL CO CHAIR NE MEYER Right. Discussion?

17 COMMISSIONER WASSERMAN And these are teleconferences for the
18 most part, right?

19 FEDERAL CO CHAIR NE MEYER The shorter ones are
20 teleconferences.

21 COMMISSIONER BELTRAM: Well the in between -- so that's once a
22 month basically is what you're getting at....

23 FEDERAL CO CHAIR NE MEYER Roughly.

24 COMMISSIONER BELTRAM: with the in between? Previously when

1 I'd talked with Jay and John, I thought that might have been too much in light --
2 but I think kind of with the new -- as much as we're putting on the table that we
3 probably ought to be in touch that often.

4 COMMISSIONER WASSERMAN: Yeah. And this is a game changer.

5 COMMISSIONER BELTRAM: Yeah, yeah.

6 FEDERAL CO-CHAIR NE MEYER: The only thing I would have is we've
7 talked about this before that -- I'm looking at the April 14th meeting. April is really
8 difficult for a lot of you here, you know, you're in session. So if there's any
9 one edit to this, I'd ask those of you who are in the middle of session, do you
10 need a break in April?

11 COMMISSIONER BELTRAM: What's an hour and a half?

12 COMMISSIONER WASSERMAN: Yeah, I was going to say an hour and
13 a half is not.....

14 COMMISSIONER MALLOTT: So it's the day before federal tax day, it
15 takes your mind off something.

16 COMMISSIONER WASSERMAN: Yeah.

17 COMMISSIONER KITKA: Actually, these meetings are going to be so
18 much fun and exciting we're not going to want to miss one.

19 COMMISSIONER WASSERMAN: That's right. And you could write the
20 check while you're on the conference.

21 FEDERAL CO-CHAIR NE MEYER: To the IRS. Okay. So....

22 MR. WHITTINGTON: Just one point of clarity, just because we broke up
23 the schedule. At the very tail end of the -- on the second page there's a
24 statement that's part of the -- part of that package for the schedule. And I was

1 just wanting to clarify whether or not the intent is that that statement, that as long
 2 as we have a quorum we're going to go ahead and meet on this schedule, not
 3 every commissioner has to be present?

4 COMMISSIONER KATKA: Yeah, the commissioners already decided
 5 that.

6 COMMISSIONER WASSERMAN: Right, right.

7 COMMISSIONER KATKA: That we don't need....

8 MR. WHITTINGTON: Okay. So that's included in the....

9 COMMISSIONER KATKA: (Indiscernible -- multiple speakers at the same
 10 time.)

11 FEDERAL CO-CHAIR NE MEYER: Right. Okay.

12 COMMISSIONER KATKA: And I was going to pick up your meeting policy
 13 notice and make a motion to adopt that meeting policy with a couple of changes.

14 COMMISSIONER BELTRAM: Do we vote on this first?

15 COMMISSIONER KATKA: I'm just trying to move us along (indiscernible -
 16 - multiple speakers at the same time).

17 FEDERAL CO-CHAIR NE MEYER: So....

18 COMMISSIONER KATKA: Are you looking at your watch?

19 FEDERAL CO-CHAIR NE MEYER:do we have a call for the
 20 question?

21 COMMISSIONER BELTRAM: Yes.

22 FEDERAL CO-CHAIR NE MEYER: Okay. All those in favor, please say
 23 aye.

24 COMMISSIONER MALLOTT: Aye.

1 COMM SSI ONER BELTRAM: Aye.

2 COMM SSI ONER JOHNSEN Aye.

3 COMM SSI ONER KITKA Aye.

4 COMM SSI ONER WASSERMAN Aye.

5 FEDERAL CO CHAI R NE MEYER Any opposed? Any abst a i r i n g? 5-0.
6 Julie?

7 COMM SSI ONER KITKA Okay. On the meeting p d i c y, thank you for
8 prepari ng that. I wou d l i k e t o m o v e t h a t f o r w a r d. Under procedures for public
9 meeti ng, I' d l i k e t o s t r i k e t h a t t h e g e n e r a l c o u n s e l o f t h e D e n a l i C o m m i s s i o n w i l l
10 chair the meeti ng and put i n i t s p l a c e f e d e r a l c o - c h a i r a n d s t a t e c o - c h a i r w i l l
11 a l t e r n a t i v e c h a i r i n g t h e m e e t i n g s. And then strike if the general counsel is
12 u n a v a i l a b l e t h e n o n e o f t h e c o m m i s s i o n e r s m a y b e d e s i g n a t e d a s t h e c h a i r. So
13 b a s i c a l l y i t' s k i n d o f i m p l e m e n t i n g t h e g u i d e l i n e s t h a t w e h a d t o a l t e r n a t e t h e
14 c h a i r s. And then on the procedure for nonpublic worki ng groups, I' d s t r i k e a n y
15 c o m m i s s i o n e r m a y r e q u e s t t h e f e d e r a l c o - c h a i r, a n d p u t a n y c h a i r o f a w o r k i n g
16 g r o u p m a y c a l l a m e e t i n g. And then under two, the Denali Commission staff will
17 f o l l o w i n g t h e p r o c e s s o u t l i n e d o n t h a t. And same thi ng under item t h r e e w h e r e i t
18 s a y s f e d e r a l c o - c h a i r, p u t D e n a l i C o m m i s s i o n s t a f f. So b a s i c a l l y t h e p d i c y
19 c h a n g e o n t h a t i s w e' r e n o t b u r d e n i n g t h e f e d e r a l c o - c h a i r w i t h e v e r y n o o k a n d
20 c r a n n y, b u t w e' r e n o t i f y i n g e v e r y b o d y t h a t t h e s t a f f i s t a k i n g t h a t o n, b e c a u s e t h e
21 e x p e c t a t i o n i s t h e f e d e r a l c o - c h a i r w i l l f u l l y p a r t i c i p a t e i n e v e r y t h i n g, b u t i t' s n o t
22 t o t a l l y t a g g e d f o r h i m t o d o e v e r y t h i n g. That' s m y c h a n g e s.

23 FEDERAL CO CHAI R NE MEYER B e f o r e y o u -- s o l e t' s g o t o p a g e t w o
24 o n t h e m e e t i n g p d i c y. I g o t t h e f i r s t o n e o n i t e m o n e, a n y c h a i r a n d w o r k e r m a y

1 request.

2 COMM SSI ONER K TKA: Okay.

3 FEDERAL CO CHAI R NE MEYER: What were the other proposals?

4 COMM SSI ONER K TKA: And you strike, under two, the federal co-chair,
5 you put the Denali Commission staff will follow the process outlined

6 FEDERAL CO CHAI R NE MEYER: Okay.

7 COMM SSI ONER K TKA: Because, obviously, the federal co-chair
8 directs any of the staff so you will tag somebody in charge of schedule or you're
9 in charge of meetings.

10 FEDERAL CO CHAI R NE MEYER: Right.

11 COMM SSI ONER K TKA: And then under item three, strike federal co-
12 chair and put Denali Commission staff there. Then we will have a meeting
13 schedule for 2016. We'll have a meeting policy.

14 FEDERAL CO CHAI R NE MEYER: Will let me share with you how I
15 think that would work. So it says the federal co-chair can call it -- is the one to
16 call the meetings. And what I think that's getting to, in statute, is that the
17 assignment of federal resources, whether by grant or contract or that sort of
18 thing takes the person. But it also -- what I could do -- and I have no objection to
19 this, is the way this would -- I think would be instituted is that annually I would just
20 write a memo saying the authority is detailed to the workgroup B

21 COMM SSI ONER K TKA: If it becomes a problem then we talk about it.

22 FEDERAL CO CHAI R NE MEYER: Yeah.

23 COMM SSI ONER K TKA: But just assume this is an effort to work
24 cooperatively with all of the commissioners and just do things smoothly and

1 involve our state co-chair more fully into that. And then if it becomes a problem
 2 or it looks like we have a big fight going on and we're doing this and that then
 3 we'll stop the whole thing and we'll say what do we need to do, right? So this is
 4 assuming we're all going to try to work together to make this work.

5 FEDERAL CO CHAIR NE MEYER Got it. Any other discussion?

6 COMMISSIONER BELTRAM: So procedurally, you made a motion, but
 7 it didn't get seconded, and seconded with those changes. I think we just jumped
 8 into discussion.

9 FEDERAL CO CHAIR NE MEYER Well we -- Mr. Robert Rules, how
 10 would you like to undo this?

11 COMMISSIONER BELTRAM: Well I think you need to....

12 FEDERAL CO CHAIR NE MEYER You're going to second the
 13 proposal?

14 COMMISSIONER BELTRAM: I just wanted to second it with those
 15 changes.

16 FEDERAL CO CHAIR NE MEYER So second with proposed changes.

17 COMMISSIONER BELTRAM: And reiterate the same discussion.

18 COMMISSIONER WASSERMAN Good catch.

19 COMMISSIONER KITKA Clarified and corrected.

20 FEDERAL CO CHAIR NE MEYER Proposed changes to (indiscernible -
 21 lowered voice). Discussion? Since we've already done discussion.
 22 Discussion?

23 COMMISSIONER WASSERMAN Question.

24 COMMISSIONER MALLOTT: Well.....

1 FEDERAL CO CHAIR NE MEYER Oh, Yes, Byron?

2 COMMISSIONER MALLOTT: This reference to Roberts' Rules. Is the
3 way you operate that whomever is chairing does not vote?

4 FEDERAL CO CHAIR NE MEYER Generally, that's the way -- well I'd's
5 talk about that. I don't vote, by statute, unless there's a tie vote. However, I am
6 counted for quorum. So if we had three voting members and me, so we'd then
7 have a quorum of four. And if issues came up then I can vote on it -- something -
8 - no, I can't.

9 COMMISSIONER MALLOTT: There wouldn't be a tie

10 FEDERAL CO CHAIR NE MEYER So for me, it works that I'm
11 effectively a non-voting member. But if you -- you were running it and/or the
12 workgroup, you have a commissioner running it, generally is the -- Roberts'
13 Rules is that individual doesn't make motions, but you -- this is the
14 commissioners making this choice. You can certainly add that in here and say
15 that notwithstanding Roberts' Rules, the chair of the meeting can make motions.

16 COMMISSIONER WASSERMAN But didn't -- Byron, didn't you ask
17 about voting....

18 COMMISSIONER MALLOTT: Yeah.

19 FEDERAL CO CHAIR NE MEYER Oh, I'm sorry.

20 COMMISSIONER WASSERMANrather than making motions?

21 FEDERAL CO CHAIR NE MEYER I'm sorry.

22 COMMISSIONER BELTRAM: Well both.

23 FEDERAL CO CHAIR NE MEYER Yeah, I heard motion and then....

24 COMMISSIONER MALLOTT: And I wasn't proposing anything. I was

1 just trying to understand

2 COMM SSI ONER WASSERMAN Yeah.

3 COMM SSI ONER BELTRAM: So technically.

4 COMM SSI ONER MALLOTT: That's great.

5 COMM SSI ONER WASSERMAN I know in second class cities, mayors
6 vote and run the meeting

7 FEDERAL CO CHAIR NE MEYER Do they make motions?

8 COMM SSI ONER WASSERMAN They, at times, make motions. Maybe
9 it's -- you know, nobody's ever come after them

10 COMM SSI ONER BELTRAM: But technically, my understanding is you
11 were only a tie-break vote

12 FEDERAL CO CHAIR NE MEYER That's right.

13 COMM SSI ONER BELTRAM: So if you wanted to correct the record,
14 you'd go back and change those to 4-0 votes instead of.....

15 FEDERAL CO CHAIR NE MEYER No, no. I'm counting five. It would
16 be 6-0. There are five of you

17 COMM SSI ONER BELTRAM: Okay. I thought you were adding yourself
18 on there

19 FEDERAL CO CHAIR NE MEYER No.

20 COMM SSI ONER WASSERMAN No. Use the other hand.

21 COMM SSI ONER BELTRAM: I stand corrected.

22 (Indiscernible -- multiple speakers at the same time.)

23 FEDERAL CO CHAIR NE MEYER Byron, would you like a clarification
24 on that, sir?

1 COMM SSI ONER MALLOTT: No, no, no. I was just trying to understand
2 how you operate

3 COMM SSI ONER KITKA: Question on the motion.

4 FEDERAL CO CHAIR NE MEYER All those in favor, please say aye.

5 COMM SSI ONER MALLOTT: Aye.

6 COMM SSI ONER BELTRAM: Aye.

7 COMM SSI ONER JOHNSON: Aye.

8 COMM SSI ONER KITKA: Aye.

9 COMM SSI ONER WASSERMAN: Aye.

10 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining? 5-0.

11 COMM SSI ONER KITKA: My last motion. Everybody's happy about
12 that.

13 FEDERAL CO CHAIR NE MEYER No. This is excellent.

14 COMM SSI ONER BELTRAM: This is good.

15 COMM SSI ONER KITKA: I'd like to table the formation of the three
16 workgroups until our next meeting.

17 COMM SSI ONER BELTRAM: Second.

18 COMM SSI ONER MALLOTT: Under Robert's Rules of Order, a motion
19 to table is non-debatable.

20 FEDERAL CO CHAIR NE MEYER I was just turning to the pages here.
21 We had Strategic Planning Workgroup, Energy Workgroup, Environmentally
22 Threatened Communities Workgroup. Okay. So do we have a second?

23 COMM SSI ONER BELTRAM: I do.

24 FEDERAL CO CHAIR NE MEYER Oh, you do? Discussion?

1 COMM SSI ONER BELTRAM: It's not debat able.

2 FEDERAL CO CHAI R NE MEYER Not debat able, okay. What part of
3 non-debat able -- it's like 5-0, 6-0. Is it 6-0, Vnce? So calling for the vote. All
4 those in favor, please say aye.

5 COMM SSI ONER MALLOTT: Aye.

6 COMM SSI ONER BELTRAM: Aye.

7 COMM SSI ONER JOHNSEN Aye.

8 COMM SSI ONER K I TKA: Aye.

9 COMM SSI ONER WASSERMAN Aye.

10 FEDERAL CO CHAI R NE MEYER Any opposed? Any abst a i ri ng?
11 What is it, Vnce?

12 COMM SSI ONER BELTRAM: Five, six

13 FEDERAL CO CHAI R NE MEYER It's 5-0.

14 COMM SSI ONER BELTRAM: Good catch. Unani mous.

15 COMM SSI ONER K I TKA: The rest of my ideas, I'll put in an email to you.

16 COMM SSI ONER WASSERMAN You're on a rdI, Julie, so keep goi ng.

17 COMM SSI ONER BELTRAM: Yeah. Everyone has been unani mous,
18 you're on a rdI.

19 COMM SSI ONER K I TKA: How much time do you have? Are you leavi ng
20 pretty qui ck?

21 COMM SSI ONER JOHNSEN 3:30.

22 COMM SSI ONER K I TKA: 3:30?

23 COMM SSI ONER JOHNSEN Yep.

24 COMM SSI ONER WASSERMAN You've got time for about 20 more

1 resd uti ons.

2 COMM SSI ONER K TKA: Well I've got some staff drecti on, if you dlike?

3 Okay, well I'll do it really qu ck

4 UN DENTI FIED MALE Pay att enti on back there.

5 COMM SSI ONER K TKA: The admini strati on rel eased the di ma e
6 resilience tod kit. I'd respectf ully request the staff and yze that tod kit and see
7 what modifi cati ons need to be done to make it rel evant to use i n A aska and
8 report at the next Denali Commi ssi on.

9 FEDERAL CO CHAI R NE MEYER I cant el you my i niti al rev ew of that.
10 I spent probab ly about half an hour ki cki ng tires. It's prett y techri cal and I don't
11 thi nk -- I thi nk there's very few peopl e i n rural A aska that coul d read ly d gest it.
12 So I thi nk you are getti ng to the poi nt. How do we take it and make so....

13 COMM SSI ONER K TKA: Right. So -- but staff coul d use thei r expertise
14 to and yze that and bri ngi t back to us at the next meeti ng, that woul d be hel pful.
15 And it woul d al so be hel pful at the uni versi ty if you coul d -- J m if you coul d have
16 some of your fd k stake a look at that.

17 COMM SSI ONER JOHNSEN Yep.

18 COMM SSI ONER K TKA: Because it's thei r nationa l tod kit. And if it
19 doesn't -- i sn't hel pful to us, it woul d be ri ce to do that.

20 FEDERAL CO CHAI R NE MEYER For those of you who don't know
21 what the di ma e resi liency tod kit is, it's -- I thi nk it's been out for about a year
22 now and it's avai labl e on the website and....

23 COMM SSI ONER WASSERMAN On our website?

24 FEDERAL CO CHAI R NE MEYER Well there is a -- we'll get al thi s

1 information. But I want to say it's like NOAA or USGS or something.

2 COMM SSI ONER WASSERMAN: Okay. That's all I wanted to know.

3 FEDERAL CO CHAI R NE MEYER: One of those. And like I said, it
4 requires some deep appreciation of climate science and things like that. And
5 some.....

6 COMM SSI ONER BELTRAM: It would be nice to have a link to that from
7 our Denali Commission.gov page.

8 COMM SSI ONER WASSERMAN: Yes.

9 FEDERAL CO CHAI R NE MEYER: Okay.

10 COMM SSI ONER BELTRAM: And then I can find it.

11 COMM SSI ONER WASSERMAN: Yeah, same here.

12 FEDERAL CO CHAI R NE MEYER: Okay. Julie?

13 COMM SSI ONER KITKA: Next one?

14 FEDERAL CO CHAI R NE MEYER: Yes.

15 UN IDENTIFIED FEMALE: There's no second on that motion yet and it
16 hasn't been voted on, either.

17 FEDERAL CO CHAI R NE MEYER: Well -- I don't see it as a motion. I
18 just.....

19 COMM SSI ONER KITKA: Just input.

20 FEDERAL CO CHAI R NE MEYER:I'll just do it.

21 COMM SSI ONER KITKA: The second -- or the next one for the staff to
22 be thinking about is creating a new paradigm for voluntary village relocations.
23 And since that's one of the tasks that we have in this reset, and it's my
24 expectation we're not going to get hundreds and hundreds of millions of dollars

1 for relocating all of the communities that need to do it, we need to start to look at
2 new paradigms on that. And would urge that new paradigm for people to be
3 looking at include fostering economic opportunity and increasing resilience. And
4 that fostering economic opportunity is a direct input from Congressman Young to
5 me that said as you're looking at that, make sure when you're working to help
6 relocate a community, you're relocating them to greater opportunities for their
7 young people rather than increased dependency on that. And so making sure in
8 this new paradigm as we prepare for our DC meetings, and look at that and
9 make sure that we keep economic opportunity married right with the resilience to
10 adverse effects so that we're actually, by doing it, not only saving people's lives
11 and increasing their futures, but you're looking toward the generation of the
12 children, that they'll have greater opportunities. So that was a thing. And then
13 my last one to think about is I saw an NV -- a British Broadcast thing on Bikini
14 Islanders in the Pacific which were relocated during our nuclear testing phase.
15 And the government has what's called a Resettlement Trust Fund. And the big
16 international news on that was that they were endangered, having to relocate
17 again because of climate change and rising sea levels on that, and to look at
18 models that the US government deals with in its other dealings around the world
19 with people. And they had something called a Resettlement Trust Fund and to
20 explore what a Resettlement Trust Fund is and whether or not that's got
21 application for our communities. So it's not just annual appropriations, that you
22 might be able to get an off-budget trust fund setup and how you'd go about doing
23 that. And where you see that that's being used is think in terms of the US when
24 they deal with Native people, like in the United States you have, through the B A

1 Indian Health Service Compacts, right? But when they deal with other
 2 indigenous people around the world that aren't within the U.S., they use what's
 3 called a Compact of Free Association. And in that, they have different tools. And
 4 I just think that as we're analyzing that and as we're preparing for D.C. meetings,
 5 if we've explored off-budget Resettlement Trust Fund idea concepts and
 6 developed that, and maybe even the state could do some of that, then we're
 7 putting innovative ideas into the administration where they can plug up large
 8 chunks of money to deal with some of these problems rather than just hitting the
 9 edges of it. So I just was thinking, one, we need a new paradigm for dealing with
 10 it. We need to have economic opportunity tied to the relocation as opposed to
 11 just moving people. And that we need to look at off-budget trust fund type
 12 approaches in order to accomplish it and be able to -- because there's such a
 13 competition for infrastructure dollars across the nation on that, we're never going
 14 to get all the stuff that we need unless we come up with some innovative ways to
 15 get that podded up. So that's it.

16 FEDERAL CO-CHAIR NE MEYER: Okay.

17 COMMISSIONER MALLOTT: That ought to get them through next week.

18 COMMISSIONER KITKA: Like I said, I could go -- I could keep going on.

19 FEDERAL CO-CHAIR NE MEYER: So looking at the agenda, we've
 20 talked about the meeting policy. We talked about the workgroups and how we
 21 might engage on. Then there's still the question of the decision-making model.
 22 And....

23 COMMISSIONER KITKA: I'd like to move to table that until the next
 24 meeting as well.

1 FEDERAL CO CHAIR NE MEYER Okay.

2 COMMISSIONER KITKA: So we can get feedback from our delegation
3 on a technical amendment reauthorizing and dealing with that. And if we can get
4 them to agree to do that, and they can do that in December, we may have
5 greater clarity by the next meeting.

6 COMMISSIONER BELTRAM: Second.

7 FEDERAL CO CHAIR NE MEYER All those in favor, please say aye.

8 COMMISSIONER MALLOTT: Aye.

9 COMMISSIONER BELTRAM: Aye.

10 COMMISSIONER JOHNSON: Aye.

11 COMMISSIONER WASSERMAN: Aye.

12 FEDERAL CO CHAIR NE MEYER Any opposed? Any abstaining?

13 Julie, I presume you voted yes since you....

14 COMMISSIONER KITKA: Yes.

15 FEDERAL CO CHAIR NE MEYER 5-0.

16 COMMISSIONER KITKA: I was just looking at your (indiscernible).

17 FEDERAL CO CHAIR NE MEYER Well that's the agenda as instructed,
18 but I think we have other things to talk about. Notably, we still have the ethics
19 training and other matters. So other commissioners' thoughts?

20 COMMISSIONER WASSERMAN: If we could have, I don't know, 15
21 minutes for you, Jay, whoever -- I mean you have both said you've been very on
22 this issue since June. Could you give us a brief update on what that busy is? I
23 mean of some of the things that have happened? You know, I would like to be
24 able to when -- some of my municipalities are these municipalities affected. And

1 when they ask me questions, I would like to be able to say more than, gosh, I'm
2 not quite sure where that stands right now

3 FEDERAL CO CHAIR NE MEYER Would commissioners like that?

4 COMMISSIONER BELTRAM: Yep.

5 FEDERAL CO CHAIR NE MEYER Jay. Oh, you're pointing to me?

6 MR. FARMWALD Well why don't you start, because you've been talking
7 at -- you've been communicating with Brzezinski and with the chief of staff of the
8 Department of Interior and so you have that perspective. And I'm in some, but
9 not all of those meetings.

10 FEDERAL CO CHAIR NE MEYER Okay. Well let's start first with the
11 D.C.

12 MR. FARMWALD And you've talked to OMB.

13 FEDERAL CO CHAIR NE MEYER Right. We'll start -- since you said
14 OMB, we'll start with OMB. With OMB, after the last commission meeting, I think
15 we had less than 10 days to put forward a budget. And so there wasn't a whole
16 lot of time and we submitted a budget. And so that has -- for FY17. That did not
17 discuss the motion about plugging up traditional budget lines, but it did talk about
18 plugging up the new initiative, the president's initiative. The way the process
19 works, I'm not allowed to talk about that other than I can share with you that I
20 submitted a request. I don't know where OMB is on that request so we don't
21 know if -- what they are going to do. I can say it was a meaningful request. And
22 much of what I've heard today from commissioners was included in that. But
23 again, I don't know where OMB is on that. When we've been talking with the
24 Arctic Executive Steering Committee, what I've been hearing is that they're very

1 enthusiastic about trying to develop a working relationship with Alaskans.
 2 They're still trying to figure out how to do that. This proposed charter for a
 3 workgroup was just an attempt for us to figure out how to work with the feds in
 4 D.C. And they -- what I've heard back from them, they thanked us for putting
 5 something on the table for them to consider. I don't know if they're any closer
 6 than we are to figuring out how that relationship will work. But what they do say
 7 is that they get constant questions from the White House about how it's going.
 8 We've heard from other quarters that the president's been very enthusiastic
 9 about plugging up federal agency budgets with regard to the climate change, not
 10 just the Denali Commission but across the board. So I think this is something
 11 that they are paying close attention to.

12 MR. FARMWALD: I'll be in there. I was at the Energy Summit in
 13 Fairbanks and Admiral Papp was there, who orchestrated the Glacier
 14 Conference. And he said in his opening remarks that the president went back to
 15 D.C. after the trip and directed OMB to find resources for his initiatives that he
 16 advanced. So that was one positive statement that I heard with respect to
 17 budgets from somebody in a pretty high level in the administration. We'll see
 18 how that translates into the FY17 budget request, yet to be seen. We haven't got
 19 our pass-back yet from OMB. And that probably impacts other agencies as well.
 20 It's probably not just us. It's DOT. It's EPA. It's Indian Health Service.

21 FEDERAL CO-CHAIR NE MEYER: Right. And I would say on a
 22 personal level, I'm a little unsatisfied with the communication that's going on with
 23 D.C. Emails will often be unanswered or phone calls. And I think what they're
 24 doing is they, themselves, are still trying to figure out how to do this. And how --

1 how does D C proper give up authority and push it to Alaska? Yet they know
 2 they need to do it. Now I'm speculating that's what's going on. I don't know. But
 3 when I actually do talk to them, they're very enthusiastic about trying to make this
 4 successful. So I think -- I think the direct reach-out by commissioners hopefully
 5 will light a fire.

6 MR. FARMWALD: They've talked about -- the Arctic Executive Steering
 7 Committee has said that they will have some oversight over the commission.
 8 And they've talked about a charter. We haven't seen a draft charter. That's one
 9 of the reasons we drafted a charter, that's in your packet, and proposed that to
 10 D C as a straw man. If you'll notice, also quite deliberately to create a positive
 11 link back to somebody of authority in D C, we recommended in the charter for
 12 the ETC Workgroup that somebody from the Arctic Executive Steering
 13 Committee be placed as a voting member on that workgroup, thinking that they
 14 would appreciate that and that that would be a formal conduit between Alaska
 15 and D C. And as I recall from the conversation with Tommy Budreau (ph), he
 16 thanked us for that initiative both in the context of a charter and the voting
 17 membership on the workgroup. He took that as a positive. That call was just a
 18 week or so ago. So I think we need to keep pushing on that. I think we need a
 19 formal link with the ADFC. The other observation I'll make is, you know, the
 20 State has the House -- the Joint House and Senate Committee on Arctic Climate
 21 Change matters. And they had hearings at the L O a couple of weeks ago.
 22 Ambassador Brzezinski and Beth Kertula both stayed late in D C to participate
 23 to listen to that whole testimony, it was several hours, and then made comments
 24 at the end, which was, you know, probably 7:00 or 8:00 o'clock D C time. So I

1 took that as positive that they were participating in that state venue. But how do
2 we get real traction with the group back east?

3 COMM SSI ONER JOHNSON You know, if I may?

4 FEDERAL CO CHAIR NE MEYER Please.

5 COMM SSI ONER JOHNSON You know, we have some initiatives going
6 back there as well involving Brzezinski and that steering committee and DHS in
7 particular. And there's a palpable sense of urgency there to get things done. So
8 we are being -- I mean we're responding to the pressure, but we're being
9 pressured like in a serious way from (indiscernible) but it's serious pressure.

10 FEDERAL CO CHAIR NE MEYER Pressure from D C?

11 COMM SSI ONER JOHNSON Yeah. And so it's just an indication in a
12 different space that if these guys want to make some progress quickly.

13 COMM SSI ONER KATKA My observation on this whole thing and the
14 president's visit is besides climate change, national security was the driving force
15 for all this.

16 (Indiscernible -- multiple speakers at the same time.)

17 COMM SSI ONER KATKA And we're not used to dealing with national
18 security as a driving force for engaging with the federal government's high level.
19 So I think that's why we are caught by surprise on so many things. And they're
20 not the same level of sharing the other ones, because it's, quite frankly, they
21 have other things that they're dealing with, whether or not they're talking about
22 the role of the Coast Guard and all these other things, and it is an unusual time
23 for the government engaging with us on this stuff. And we just have to expect
24 that we aren't going to -- it's not going to be like how we've done things before.

1 And we have to just be crystal clear of what we need for what we're doing and
 2 not expect they're just going to bend to everything we want or do things the way
 3 that we're used to doing it. They've got other things they're worried about.

4 COMMISSIONER WASSERMAN: And when I was in D.C. last and we
 5 were discussing this Arctic stuff, that was the Department of Interior people that I
 6 had there, that was -- and they took was the national security aspect of it, which
 7 certainly -- and NACO was at the table. It certainly brought NACO in more,
 8 because it became more of a national issue suddenly so.

9 FEDERAL CO-CHAIR NE MEYER: Some other observations. As I've
 10 said in the past, the State of Alaska has done a lot of fine work on it. The
 11 Intermediate Action Workgroup has done a lot of work, and their documentation
 12 through 2009 is excellent on it. A number of activities have continued with the
 13 Department of Commerce Community and Economic Development with funding
 14 from a variety of sources. And so that's moving forward. What we see is there's
 15 a lot of funds from a number of different sources that are looking at aspects of all
 16 of this. And that funding that -- you know, all these different initiatives, whether
 17 they come from HUD or the Department of Interior, they all have their unique
 18 perspectives. And we at the commission, we have -- we're free from a lot of
 19 those perspectives. Because they're thinking like a Department of Interior
 20 employee or they're thinking like a Homeland Security employee, that's their
 21 mindset and their authorities. We can be free of that and look at the community
 22 across all aspects of infrastructure and all the different authorities. And so what
 23 I've observed is that in the rooms I will hear people talk and I -- and even though
 24 I don't think they intentionally do it, I'm hearing silo talk, their particular interests,

1 you know coming through. And so I think one of the challenges for the
 2 commission will be, as we try to get into the game and establish the
 3 relationships, is how do we not offend those folks, but get them to understand
 4 that, you know, it's the community perspective we're trying to look at and how
 5 their silo of interest fits in. Just on the federal family of federal agencies, I will tell
 6 you this, is that these sort of actions require NEPA documentation. And
 7 historically, federal agencies don't work well together when they're doing NEPA
 8 documents. So let's say we pick a relocation, just one of the four villages, I'm not
 9 picking any one, but just one of them gets relocated. The Denali Commission, in
 10 our role, can develop an overarching community environmental assessment.
 11 That environmental assessment would include the development of the new
 12 location. It would include the environmental activity of the move. It would include
 13 the closing down of the existing site. And it would also include any relocation of
 14 families during the process. We'd be comprehensive to what this entire move
 15 would look like. Then it would be incumbent upon the family of federal agencies
 16 to accept that and then have their environmental documents fit in. So the FAA
 17 would do their airport documentation to fit in, HUD would do theirs, so on and so
 18 forth. To me that is the reason why -- this is just one example of why I think it's
 19 so critical that we have a relationship with the Arctic Executive Steering
 20 Committee, because I think it's through the Arctic Executive Steering Committee
 21 that they can thump heads and tell some of those federal agencies that don't
 22 want to cooperate on a community environmental document, you need to do so.
 23 Now the reason why this is important is you -- when you're -- if you're doing
 24 these major efforts, you want one contractor to come in, do it effectively and

1 efficiently, and do the work of all the family of federal agencies at one time. You
 2 don't want us to come in -- the community doesn't need us coming in piecemeal,
 3 which would create chaos. So we've got to get them all corralled in the very
 4 beginning, lined up when it comes to NEPA, when it comes to funding, when it
 5 comes to all their activities all lined up together. To me, that's -- that does take a
 6 one-stop shop. It does take a coordinator. But in order to be successful, we
 7 need to have the feds in D.C. saying, yes, we see that need, and you guys
 8 happen to be boots on the ground and you can identify and articulate what are
 9 those specific activities in that community. Jay, would you like to continue?

10 MR. FARMWALD. Well on the subject of NEPA, since you brought that
 11 up, we all know that the NEPA process can be long and can add time to project
 12 timelines. And then go back a couple steps to what we were talking about a few
 13 minutes ago about the need to move quickly and urgently. Anything that could --
 14 anything that anybody back East could do to streamline the NEPA process in the
 15 context of the ETC Initiative would speed things up. And I'll leave that statement
 16 just there.

17 FEDERAL CO-CHAIR NE MEYER. So do you want to talk about your
 18 observations here in Alaska as opposed to -- we've been talking about D.C. so

19 MR. FARMWALD. I mentioned earlier that of all the meetings I've gone
 20 to, you know, there's a myriad of alphabet soup workgroups, task forces,
 21 committees out there all with the word Arctic in them. Resilience is probably the
 22 word that's used the second most times. And I'm finding that these words do
 23 mean different things to different people. So I want to reemphasize that I think
 24 eventually our mission here on this new initiative is to find out how to prioritize

1 the resources that do flow. I'm going to be positive and assume that some
 2 resources will flow either directly or indirectly through other agencies. The
 3 challenge is going to be how to prioritize spending those resources. The
 4 commission has been successful in the past in setting up a program standing up
 5 a program and developing the prioritization methodology that works, the Health
 6 Program. So is there an analogy there where the commission could fill that gap?
 7 Because that is -- that methodology does not exist at this point. And the second
 8 point I would make, again, is that protected in place, there's huge need there as
 9 opposed to, you know, outright relocation. And I think the commission is going to
 10 have to be involved in both protected in place projects as well as relocations.

11 FEDERAL CO-CHAIR NE MEYER: Katie, did that help or do you need
 12 more?

13 COMMISSIONER WASSERMAN: No....

14 COMMISSIONER KITKA: She wants his document he put together.

15 COMMISSIONER WASSERMAN: Yeah. I just -- again....

16 MR. FARMWALD: I'll share that -- I'll share that with you.

17 COMMISSIONER WASSERMAN: I can't stress it enough. You know, I
 18 don't know when our next meeting is, but between now and then, and I don't
 19 want to put tons of work on you, but if people could let us know about these
 20 things that are happening. I mean, you know, I....

21 FEDERAL CO-CHAIR NE MEYER: Well I will share with commissioners,
 22 my intent was after the workgroup formation, I'll challenge my staff, next week we
 23 need to get started engaging on all these things. So instead of just doing the
 24 workgroup next week, we'll engage with all the commissioners on all these

1 things. So we've had a number of thoughts on how to move forward, some
 2 ideas. And you all collectively will be seeing those starting next week. The
 3 additional layer over this is the idea of engaging with the Arctic Executive
 4 Steering Committee. I want to put another thing on the table with commissioners
 5 is that we have heard from a number of sources where the -- at least the --
 6 there's always a question of how many communities is it, is it four or is it five.
 7 In the 2003 JAO report on erosion, it identified four communities, and Koyukuk
 8 was one of the four. And in 2009, it identified four communities and Koyukuk
 9 was no longer on it, but Shaktodik was. So is it four or is it five? But let's just
 10 assume it's four. What I've heard from a number of sources is that these four
 11 communities have never met together. Now the communities have met
 12 individually. But there could be value -- I believe there's value if the commission
 13 were to convene all four at one time. They can hear each other's stories. They
 14 can hear -- perhaps the three that have yet to choose a site can hear from
 15 Newtok and Newtok can describe their challenges they went through, the
 16 timelines of those challenges, and how they might be able to streamline them so
 17 that if their communities decide to relocate, they can say well we've learned
 18 (in a scorable). And so there are a number of things, I think, that would be of
 19 value. So that's one thing I would say, commissioners, we want to consider.
 20 Because not only are we talking about how to develop the relationship with DC,
 21 there's also the other end of the question. How do we develop a relationship with
 22 the communities in question? And then on top of it, if we develop the
 23 relationships with those four then there's the larger question of understanding the
 24 threats of erosion, flooding, and permafrost degradation. And that would be

1 developing a relationship with those research communities that can help us with
 2 that. And then from that, the expectation is you might have a prioritization. And
 3 then you might also have a fuller idea of the impact of climate change to rural
 4 Alaska. Thoughts? Commissioners interested in trying to meet with the
 5 individual communities? I would like to travel -- personally, I would like to travel
 6 to the three remaining. I think I told you I went to Newtok about two weeks ago,
 7 because I wanted to get in before you could drift up the river. But I'd like to go
 8 and I'd welcome every commissioner to come join me.

9 COMMISSIONER WASSERMAN: You know I think it's kind of important
 10 that we meet first with the doers rather than the receivers. I mean I....

11 FEDERAL CO CHAIR NE MEYER: Okay.

12 COMMISSIONER WASSERMAN: I would be very uncomfortable with
 13 going out to communities and giving them false impressions when we don't even
 14 know what's coming down the road. And I'm willing to be, you know, argued on
 15 that point. I just -- I would....

16 COMMISSIONER KITKA: Raised expectations....

17 COMMISSIONER BELTRAM: Exactly.

18 FEDERAL CO CHAIR NE MEYER: Oh, yeah.

19 COMMISSIONER WASSERMAN: Yeah.

20 FEDERAL CO CHAIR NE MEYER: So the priority then, what I hear from
 21 commissioners, is we try to iron out the relationship with D.C. And once we've
 22 got some clearer understanding of that then we reach out to the communities in
 23 question.

24 MR. FARMWALD: With respect to expectations, I can tell you that since

1 the president's visit.....

2 COMM SSI ONER KTKA: They're already up there.

3 MR. FARMWALD:they're already up there. The calls come in. How
4 do I apply for a grant to move this house or.....

5 COMM SSI ONER WASSERMAN: Right. And that's why I asked for
6 information, because they're calling my office as well. What's going on?

7 MR. FARMWALD: How do I armor this shoreline, you know? The
8 assumption is, in many of these communities, that there is new funding that's
9 sitting here waiting to be spent.

10 FEDERAL CO CHAIR NE MEYER: It is common for me to share with
11 folks who are making inquiries that the \$2 million came from the commissioners.
12 It did not come from the White House.

13 MR. FARMWALD: About half the calls that come in assume that the \$2
14 million was delivered the day the president arrived from D.C. And we correct that
15 perception that, no, this was an Alaska initiative. The commissioners made the
16 \$2 million available from existing coffers here at the commission.

17 COMM SSI ONER KTKA: Well what I would like to do with that \$2 million
18 is develop some RFPs and put it out and get some proposals to respond to that,
19 rather than us coming up with all the ideas itself. And then I'd also like to use
20 part of it as an emergency fund for the communities. I don't know if -- you know,
21 come January, we got a big storm and which all of a sudden, you know, there's a
22 landslide (indiscernible) going on there so I'd like to reserve part of it in an emergency
23 fund for those communities. And the other ones put out in an RFP and engaged.
24 And I'm not necessarily -- I don't necessarily think we're the best one to engage

1 with the communities on all this stuff. I mean if you look at the tribal consortiums,
 2 Mriilik (ph) for example, they deal with Kvdiina on a regular basis because they
 3 provide the health care for that community. I think we need to partner with the
 4 people that already have existing relationships in the communities. As I said in
 5 the Bristol Bay Native Association, the BIA is already moving adaptation money
 6 into their compact. And if we can -- when we do our RFP and get proposals to
 7 use these existing partners and -- rather than get everybody together, raise their
 8 expectations, unless we have this huge pot of money on that, use the existing
 9 partners and that's what my preference would be. But develop the RFP,
 10 because we're not going to have all the magic answers here, but if we put an
 11 RFP, this is what we want, and people put their proposals in, it will generate a lot
 12 of new thinking that people have and we'll go, ah-ha, that makes sense.

13 COMM SSI ONER WASSERMAN: Right.

14 COMM SSI ONER KITKA: That would be my preference. So I don't know
 15 if the Denali Commission wants to start on that, or the state co-chair, if you want
 16 to task your state commissioners to come up with a draft an RFP of how that
 17 could work or something. You guys do that.

18 FEDERAL CO CHAIR NE MEYER: So we'll get with....

19 MR. WHITTINGTON: I just a point of, I guess, clarification. When you
 20 were mentioning RFPs, are we talking about like a contract RFP or are we
 21 looking for like a notice of funding opportunity like for a grant opportunities? Just
 22 within the federal world, those are two very distinct terminologies and I just
 23 wasn't sure which....

24 COMM SSI ONER KITKA: Well like I said, I didn't make a motion today

1 on that.

2 MR. WHITTINGTON: Right.

3 COMMISSIONER KITKA: Because we still need to do our D.C. meeting
4 to do that. But I'm just saying my preference for dealing with that \$2 million,
5 rather than run a program right in our thing, is to solicit ideas and fund the partner
6 that would do this stuff with us.

7 FEDERAL CO-CHAIR NE MEYER: What I would suggest is we take a
8 break.

9 COMMISSIONER MALLOTT: Could I just make a couple comments?

10 FEDERAL CO-CHAIR NE MEYER: Please.

11 COMMISSIONER MALLOTT: And then maybe (indiscernible). Jay, you
12 mentioned a charter and you said it was in our documents? And I.....

13 MR. WHITTINGTON: It was the charter for the Environmentally
14 Threatened Community Workgroup.....

15 COMMISSIONER MALLOTT: Oh, okay.

16 MR. WHITTINGTON: which we -- in that charter, we wove the Arctic
17 Executive Steering Committee as a way to bond, for lack of a better word, with
18 our new best friends in Washington, D.C.

19 COMMISSIONER MALLOTT: Okay. So it wasn't a Denali Commission
20 Executive Steering Committee bonding, it was focused on something else?

21 MR. WHITTINGTON: It would be -- the charter would be for an eventual
22 workgroup that could meet in a workgroup setting with a smaller subset of
23 commissioners that would set priorities for the -- for this new initiative.

24 COMMISSIONER MALLOTT: It sounded a little bit -- my

1 misunderstanding. I thought it was a much broader charter. Also the -- I've
 2 heard -- and I don't want to get into it, but 40 communities, 27 communities, you
 3 know, X number of communities, three communities, four communities, and so it
 4 would seem to me that that is just part of learning up and so forth. But I'm still,
 5 you know, kind of out there in terms of understanding exactly what the range and
 6 the scope of what we're dealing with is. On the \$2 million, and this gets to John's
 7 comment earlier, what haven't we done by way of appropriating dollars that the
 8 Denali Commission has to do actions?

9 FEDERAL CO CHAIR NE MEYER What I was able to do is....

10 COMMISSIONER MALLOTT: And I'm not talking just about the \$2
 11 million, but if that's all we have then that's what I'm talking about.

12 FEDERAL CO CHAIR NE MEYER No, we -- actually, we have more.

13 COMMISSIONER MALLOTT: Okay.

14 FEDERAL CO CHAIR NE MEYER So that's a good question. So what I
 15 was able to do with the \$2 million, because -- and we thank Dave Smith, David's
 16 boss, for executing a five-year MOU on I G services. So what I was able --
 17 literally able to do is obligate that to all the I G services. I actually needed
 18 something I could -- an actual task which I could assign it to. Since there was
 19 this document, I could do that. What it means is, is that I can pull back the \$2
 20 million. Really, I can only pull back \$1.6 million, because we're paying for this
 21 year. But that means that would mean \$400,000 would be available off of this
 22 FY16 budget that would normally go to that purpose. And we're in the process of
 23 doling out projects again. What we do as a matter of practice is we do some
 24 projects in the first and second quarter, and then we obligate the money in the

1 third and fourth quarter. What we found is when we close projects in third and
 2 fourth quarter, we actually would carry over funds to the next fiscal year and
 3 Congress swept it. So when Congress swept, back in FY11, \$15 million, all of
 4 that had been completed projects that we had closed in third and fourth quarter.
 5 So we're in the process now of closing projects. And so, as last year where we
 6 had priority or unobligated funds that we put to two direct and to this initiative, I
 7 expect we'll have more money. And I don't know what that dollar figure is. And
 8 so when you talk about maybe is there an emergency fund or something like that,
 9 that's one of the things I had in the back of my mind is I need to figure out how
 10 much money we think is coming back so that we can have an idea if there's
 11 anything for that purpose.

12 COMMISSIONER MALLOTT: Okay. I guess my point is that I would
 13 hope that you already have enough under way work in progress that the fact that
 14 the commission did not act upon the work groups that you had otherwise wanted
 15 to authorize today, that whatever important work is necessary to continue
 16 advancing the ongoing work of the Denali Commission has not been stopped.

17 FEDERAL CO-CHAIR NE MEYER: My thinking on that is two fold. One
 18 is largely I think we collectively, seven commissioners, can arrive at some
 19 conclusion of what to do with it by January. I think if we don't make a choice at
 20 the January meeting, we're really extending this too far.

21 COMMISSIONER MALLOTT: So how much money are we talking about
 22 that requires....

23 FEDERAL CO-CHAIR NE MEYER: Two million. Well \$2 million specific
 24 for this purpose. But also in January, it doesn't just stop at the \$2 million. We

1 have the FY16 budget, of which perhaps about \$7 million is discretionary, \$7,
 2 \$7.5 million is discretionary. Commissioners can put it to anything: clinics, roads
 3 or this initiative. And so to me, it's not just \$2 million. It's \$2 million to perhaps
 4 \$9.5 million.

5 COMMISSIONER MALLOTT: And that's....

6 MR. FARMWALD: And thank you for the point. It's a very good point.
 7 We had envisioned being able to, with commissioners help along the way,
 8 bringing to the full commission in January some concrete funding
 9 recommendations for the FY16 dollars, our base funding plus TAPL funding. So
 10 there's \$10 million there that needs to be obligated one way or the other in FY16
 11 and....

12 COMMISSIONER MALLOTT: Which is already under way.

13 MR. FARMWALD: We are in 16.

14 COMMISSIONER MALLOTT: It started October 1st?

15 FEDERAL CO-CHAIR NE MEYER: Yes.

16 MR. FARMWALD: Yes, sir. So that is going to be one of my dilemmas
 17 is, you know, if we don't start this conversation about how to spend that \$10
 18 million until January then the next meeting is May. So then presumably decision
 19 making on the \$10 million will be in May. We'll be halfway through the fiscal year
 20 and then we'll be scrambling to get that money out the door.

21 COMMISSIONER KITKA: Well, my assumption is that that's what you
 22 guys will bring to us, your best thinking and proposals, and we would react to it.
 23 Because we have never just designed it ourselves, how we want to do it. So
 24 that's my expectation. If you want us to design it, we can design it.

1 MR. FARMWALD: Well we wanted to empower the commissioners to
 2 work with staff collaboratively in maybe smaller groups of interest, so energy and
 3 ETC in particular. Energy is the one program that still has pretty stout legs
 4 underneath it. But I am reluctant to be unilateral in making recommendations on
 5 how to fund. I would rather have at least some level of collaborative discussion
 6 with some subset of commissioners as we develop together recommendations
 7 on how to spend that \$10 million. I'm very -- and my staff are very capable of
 8 coming up with recommendations, but I would welcome....

9 COMMISSIONER KITKA: Well this would....

10 MR. FARMWALD:I would welcome the input.....

11 COMMISSIONER KITKA:part of why we didn't want to do
 12 workgroups and deferred it is we feel a need, as commissioners, to start making
 13 some decisions all together and get everybody caught up and do it. And once
 14 we have our level of trust and activism back up to where it should be then we can
 15 divide up in groups to do that. So from my vantage point, it's not that we're trying
 16 to inconvenience anybody. It's, you know, we -- and I was just telling Kathie how
 17 long since I seen her, you know, I mean we need, as a commission, to be all on
 18 the same page, get ourselves on the same page before we divide up into
 19 workgroups.

20 MR. WHITTINGTON: So as a suggestion then, because we had -- we
 21 had envisioned, as I mentioned, the workgroups being commissioner led. And in
 22 between now and January, developing those recommendations so that in
 23 January there could be a good, robust discussion amongst commissioners about
 24 which ones to fund. In lieu of that, if commissioners are saying, hey, we wanted

1 to focus in on this policy level, D C level, then I would think that perhaps the best
 2 productive uses are for the commissioners to provide some direction to staff to
 3 say we would like for you to develop, maybe you say X number of ideas -- you
 4 know five or six recommendations in the Energy Program, provide you some
 5 direction so that we know to come back to the table with, you know six ideas, 10
 6 different program ideas in January with the intention that the commissioners are
 7 going to sift through that and figure out which ones they want to fund. So if, for
 8 instance, you were to say we're interested in ETC and energy and health, or
 9 whatever the interest area is, then that allows us staff to focus and provide some
 10 more concrete ideas back. I think that level of direction would be helpful. And
 11 I'm speaking as a non-program person at the table. But, you know especially for
 12 our program staff to really think through, oh yeah, I can focus my attention on
 13 energy and ETC and health, for instance, or other items.

14 COMM SSI ONER K I TKA: But maybe we kind of like went to the side of
 15 that already when we said what we want to do is reset the streams of revenue
 16 that came in 2007, which included health clinics, which included training, which
 17 included energy. So all those streams of revenues, we want to go forward and
 18 we want to figure out how to raise the revenues to accomplish that. So it's not --
 19 it's not anymore we just want to do energy and the best energy we can, or we
 20 want to complete all the things, we want those multiple streams of revenues
 21 because those are unmet needs in our communities that they're not getting any
 22 help on.

23 MR. FARMWALD: And I'm with you 100 percent there. And, you know if
 24 we can be successful in that, and FY17 is the earliest we would see that kind of

1 money.....

2 COMMISSIONER KATKA: Unless you -- they agree to do some lateral
3 transfers to the Denali Commission. We have the ability to accept transfers and
4 they have the ability to move things. You know?

5 MR. FARMWALD: Perhaps.

6 COMMISSIONER KATKA: If we have the great, well-thought-out ideas
7 that are worth investing in. If not, they're going to bypass us and they're going to
8 use somebody else and we'll be looking at, in my mind, shutting this down in
9 another year or so if we miss this opportunity and we have not stepped up to do
10 the very best we can.

11 COMMISSIONER MALLOTT: In any event, it seems to me that where
12 we're at is what the commissioners voted on. We need to get to DC or they
13 need to come to us. We need to meet with them very, very soon. That request
14 could probably be sent Tommy or whoever is the guy to talk to about getting such
15 a meeting together. That call should be made tomorrow. And this is what it's all
16 about, everything that we're discussing.

17 FEDERAL CO-CHAIR NE MEYER: Right.

18 COMMISSIONER MALLOTT: And, you know, you said this is -- we've
19 set the table. We (indiscernible) that. We want you to consider the 2007 budget
20 number as a place to begin a meaningful conversation both about what the
21 commission has traditionally engaged in, recognizing that there are significant
22 additional responsibilities that are being contemplated. Based on what we just
23 said, I think we can say we have up to \$10 million that we can allocate and we
24 want to talk with you about that. Two million of it has already been obligated to

1 I G services, \$400,000 is obligated. And if we're going to unobligate it, we have
 2 to have a reason to do that relatively quickly. And let's sit down and have a
 3 conversation. It seems to me it is both as simple and as complex as that. And
 4 we have to do it right away. And I guess where I started this discussion just now
 5 is I just have this sense that because the commission ever going to go to
 6 Washington, D.C., we're going to have these conversations and we're going to
 7 figure out a path forward, that somehow all the other work stops. It doesn't, does
 8 it?

9 FEDERAL CO CHAIR NE MEYER I think not.

10 COMMISSIONER MALLOTT: Don't you guys have things to do?

11 FEDERAL CO CHAIR NE MEYER Yes.

12 COMMISSIONER MALLOTT: Okay.

13 FEDERAL CO CHAIR NE MEYER We've got about \$16 million of actual
 14 grants, Jay? Is that what your number says?

15 MR. FARMWALD Forty-eight million in active grants that we're
 16 managing

17 FEDERAL CO CHAIR NE MEYER Okay.

18 MR. FARMWALD I just want to make sure that -- that I in no way put the
 19 \$10 million of 16 money at risk, because it's not moved in (indiscernible --
 20 background noise).

21 COMMISSIONER MALLOTT: Well, you know that's just a challenge.

22 FEDERAL CO CHAIR NE MEYER Right.

23 MR. FARMWALD And I'm reluctant to just go to the next bulk fuel tank
 24 far m project or the next power plant project on the list, because those are

1 typically expensive projects and they only serve one community. And so that's
2 not my decision to make.

3 FEDERAL CO CHAIR NE MEYER Well and as I said when we started
4 the meeting, when it comes to FY16, the only encumbrance that I would urge
5 commissioners to consider is about \$800,000 to complete the funding on the
6 Togiak bulk fuel farm, which is about a \$7 million project. So it's close to largely
7 being funded. But other than that, we're looking for commissioners' input.

8 COMMISSIONER WASSERMAN Which is why it's more important for
9 us to get talking to the people in DC, because we'll eventually get to the point
10 where everything is on hold, the other work and the Arctic work, so

11 FEDERAL CO CHAIR NE MEYER Right. I see that we're at about 2:15.
12 And, sir, you have to leave 3:00?

13 COMMISSIONER JOHNSON 3:30.

14 FEDERAL CO CHAIR NE MEYER 3:30?

15 COMMISSIONER JOHNSON Yep, latest.

16 FEDERAL CO CHAIR NE MEYER So if we took a 10 minute break,
17 refreshed ourselves and came back, and then John can lead us through the
18 required mandatory ethics training that -- every three years.

19 COMMISSIONER MALLOTT: What remains....

20 COMMISSIONER KITKA: Can we do public comment first?

21 COMMISSIONER MALLOTT: What remains on the agenda?

22 FEDERAL CO CHAIR NE MEYER We have both the ethics training and
23 public comment.

24 COMMISSIONER BELTRAM: Do we have to wait until 4:30, because

1 that's when it was announced?

2 FEDERAL CO CHAIR NE MEYER No, no. The way it's written is we
3 can start the public comment -- I guess the question I have for John is how much
4 time -- is this about a half hour?

5 MR. WHITTINGTON It depends on questions. I mean if there's no
6 questions, it's probably a half hour. But if people want to ask questions....

7 UNIDENTIFIED MALE Bow through it.

8 COMMISSIONER WASSERMAN Yeah, do it in 10 minutes.

9 MR. WHITTINGTON Well I don't know if I can in 10 minutes....

10 COMMISSIONER WASSERMAN Ten -- 10.

11 FEDERAL CO CHAIR NE MEYER That's what I said

12 UNIDENTIFIED FEMALE Oh, that's a 10 minute coffee break?

13 COMMISSIONER MALLOTT: I would just add my timeframe to President
14 Johnson is that I'd like to be out of here by 3:30 if we possibly can.

15 FEDERAL CO CHAIR NE MEYER Well let's do a 10 minute. John will
16 be on. And then we'll have public comment and....

17 COMMISSIONER BELTRAM: Then we're good.

18 FEDERAL CO CHAIR NE MEYER Well for some of us, we may be
19 going to public comment past 3:30 if the public wants to keep talking. But 10
20 minutes. We'll reconvene at 2:25.

21 THE REPORTER Of the record at 2:12 p.m.

22 (Of the record at 2:12 p.m.)

23 (On the record at 2:26 p.m.)

24 THE REPORTER On the record at 2:25 p.m.

1 FEDERAL CO CHAIR NE MEYER Again, this of Joe Ne meyer with the
2 Denali Commission. This is the November 5th commission meeting. We are
3 coming back to order. The next order of business will be a mandatory ethics
4 training and then we'll go to public comment. So every commissioner was given
5 a Power Point, previously sent.

6 MR. WHITTINGTON It should be in the blue folder. We originally set up
7 in the Foraker Room, and I had it up on the screen but this will do for now. So as
8 I mentioned earlier, this is the annual ethics training. Once every three years it's
9 required to be, quote, verbal so that means either in person or on the phone. So
10 I'll just have to catch up with Commissioner MacKinnon at some later time and
11 subject him to the same briefing opportunity to learn, as you are receiving at this
12 moment. So the items, if you turn to page 2 of the Power Point slides, of the
13 agenda. I've kept it to the what's required as a minimum under the statute and
14 regulations, which is we have to talk about the ethical principles, which are
15 outlined in regulation, the standards of ethical conduct, as well as go over the
16 conflict of interest statutes. So there are -- if you turn to the next page, there are
17 14 ethical principles that are in regulation. They were by executive order, the first
18 President Bush enumerated these. As we go through this, what you're going to --
19 - you should have a lot of moments where you say, "ah, right?" This is all very
20 commonsense kind of things. This is all the kind of stuff that just would seem to
21 be just -- you shouldn't have to have a rule assigned to say that various things
22 are prohibited or required. And as we go through this what I -- you know, as we
23 can think of news stories and what have you, what you have to realize is behind
24 every do or don't there is -- there are dozens, if not hundreds, of stories, real life

1 stories that demonstrate that commonsense is uncommonly -- is uncommon. So
 2 lots of violations to go behind this. So I'm just going to jump through these, these
 3 14 principles. And as we talk to -- this is primarily for commissioners. Part of
 4 what I'm going to try to do as I go along is identify where these rules might apply
 5 differently for special government employees, so basically part-time employees
 6 versus, such as myself, a permanent employee. For many cases, the principles
 7 are the same. But there may be some places where your status makes it a little
 8 bit different. So right off the bat, number one, public service is a public trust,
 9 requiring employees to place loyalty to the Constitution, laws and ethical
 10 principles above private gain. So this is sort of foundational principle that your
 11 role as a part-time employee for the federal government would be that when
 12 you're operating in a role as commissioner that your duty is to -- duty of loyalty is
 13 going to be to see the federal government into save -- you know, meant to save
 14 taxpayer dollars and these kinds of things rather than your own private gain. I
 15 imagine this is very similar to your own parent organizations where you have
 16 similar requirements of loyalty to your primary employer. Employees shall not
 17 hold financial interests that conflict with the conscientious performance of duties.
 18 So this is going to be a principle that encapsulates both the absolutely conflict of
 19 interest, which is -- we'll talk about under Section 208, but it also encapsulates
 20 the conflict of interest that may arise more from appearance issues. So just
 21 something to keep in mind. Number 3. Employees shall not engage in financial
 22 transactions using nonpublic Government information or allow the improper use
 23 of such information to further any private interest. So most of our -- most, if not
 24 all, of our meetings are to deal with public so this is probably not much of a

1 relevant issue. But if, during the course of your duties as a commission, you
 2 were to become informed of information that's not publicly held, you would be
 3 prohibited from using that for -- for your own use -- own private use or to all that
 4 to be used by others. So it would be, I guess, the federal employee version of
 5 the insider trading, that kind of -- that kind of concept.

6 FEDERAL CO CHAIR NE MEYER John, can -- in the interest of time
 7 can you quickly go through the four points and then give the editorial, just giving
 8 yourself more time for editorial? I think that would be helpful.

9 MR. WHITTINGTON Sure. So number four, I'm not going to read it all.
 10 It's a relatively long one. Basically, it just implies there are some gift rules that
 11 we'll go over briefly. And so essentially there's a prohibition here against
 12 accepting gifts from somebody who's seeking official action from you. So again, I
 13 think it's unlikely to happen, but if someone were to offer a gift in order to
 14 influence your decision on the commission that would be, one, a violation of the
 15 gifts rules, two, probably a violation of Section 208, as well as violating ethical
 16 principles. So turning to page just -- no comments are needed here. Employees
 17 shall put forth honest effort in the performance of their duties. Number 6:
 18 Employees shall not knowingly make unauthorized commitments or promises of
 19 any kind purporting to bind the government. This is largely focused toward more
 20 of your full-time employees dealing with contractors. So it doesn't really have a
 21 lot of relevance for commissioners. Employees shall not use public office for
 22 private gain. It's sort of restating something, a similar kind of theme from what
 23 we talked about just a moment ago. Employees shall act impartially and not give
 24 preferential treatment to any private organization or individual. So again, as we

1 are engaging in decision making, the decision making of the commissioners
 2 would need to be impartial. Employees shall protect and conserve federal
 3 property and shall not use it for other than authorized activities. Again, this is
 4 probably something that commissioners don't necessarily engage in. This is
 5 more directed to more full-time employees who are using federal property on a
 6 more routine and regular basis. Employees shall not engage in outside
 7 employment or activities, including seeking or negotiating for employment, that
 8 conflict with official government duties and responsibilities. So here there is --
 9 special government employees do have, by statute, much more leeway, because
 10 obviously you're part-time employees, to not just seek but to have outside
 11 employment. You're expected to have that. So there's much more leeway here.
 12 And based on your jobs, there's not necessarily an inherent conflict, it would only
 13 pop up -- it would only arise in particular situations which we would then identify.
 14 So I don't think this is much of an issue. But I did want you to know that there is
 15 some greater flexibility in the statute for SGEs than there are for federal
 16 employees in that regard.

17 COMMISSIONER WASSERMAN: Especially as we probably regard this
 18 as outside employment.

19 MR. WHITTINGTON: That's correct. That's correct. If you turn the page
 20 to number 11. Employees shall disclose waste, fraud, abuse, and corruption to
 21 appropriate authorities. I don't think there's much comment needed there.
 22 Employees shall satisfy in good faith their obligations as citizens, including all just
 23 financial obligations, especially those such as federal, state, or local taxes that
 24 are imposed by law. So pay your taxes is basically what that comes down to and

1 then obey other laws. Employees shall adhere to all laws and regulations that
 2 provide equal opportunity for all American regardless of race, color, religion, sex,
 3 national origin, age or handicap. So this just takes all of the EEO protections and
 4 makes it one of the ethical principles of federal employees. And then finally this
 5 is -- this last one is an appearance. Essentially that the employees or
 6 commissioners -- as commissioners, you should avoid taking any actions that
 7 would create the appearance of impropriety. And appearance here would be what
 8 would a reasonable person think observing what's going on. So those are your --
 9 those are the 14 ethical principles. I know I flew through those. I'll ask, but I
 10 know the answer, any questions? Okay. That is the answer I was looking for.

11 UNIDENTIFIED MALE Yeah, it needs so musical accompaniment. Go
 12 ahead.

13 MR. WHITTINGTON And so under the standards of ethical comment,
 14 there's actually a couple of standards but most of them were -- are irrelevant so I
 15 just included the one that I thought may have some relevance. It's on prohibition
 16 on gifts. So the general rule is an employee, which really commissioner, shall
 17 not accept or solicit a gift from a prohibited source or one that's given because of
 18 the employee's official position. So the easiest one would be the gift due to your
 19 position. So if someone were to give you a gift because you're a commissioner,
 20 that would be inappropriate and you would have to refuse that gift. So prohibited
 21 source is a little bit more. You can define that. And basically your prohibited
 22 source is just somebody who's looking for something from -- either looking for
 23 something from the agency, so the commission, or they already have business in
 24 front of the agency. So and that's sort of what is encapsulated there with items

1 one through five. And you turn the page. So there are some exceptions to gifts
2 to this prohibition. If a gift is \$20 or less, it's -- there's an exception. If it's based
3 on a personal relationship, so you're getting a birthday gift from your brother, not
4 because I'm looking to do business before the commission but because he's your
5 brother. That's the kind of scenario there. Discounts that are widely available,
6 so everybody who is a federal employee gets a discount then it's not a gift. If it's
7 a bona fide award for meritorious public service, sometimes there's monuments
8 that have dollar values, those can be provided. The one that probably has the
9 most applicability to the commissioners, if they receive a gift based on outside
10 business or employment. So if you're receiving a gift because you're the
11 president of UAA or the director of AFL- CIO that's an exception from this
12 prohibition. Of course, you may have your own. Employers may have put their
13 own prohibitions on your activities. But for my purposes, that's an exception.
14 And then finally, if there's -- often -- sometimes you may be asked to attend a
15 gathering because they want someone from the commission, a commissioner,
16 you're allowed to do that and they may provide the gift of free attendance and
17 things like that. In all of these cases, what I would suggest is if you have a
18 question, part of my job as the counsel for the commission is to provide legal
19 advice to commissioners about their function -- their functioning as
20 commissioners. So if you have concerns about an issue or an item, and it's
21 because of your role as a commissioner, you absolutely have the right, and I
22 would hope that you would pick up the phone or drop me a note, because this is
23 my job. All right. So if we move on to the conflict of interest. This is where
24 we've actually been talking a little bit about it, but this is the -- so the source of

1 the primary conflict of interest rule is 18 USC 208. You don't really need to know
2 that other than to know that that is a -- it's a statute, a criminal statute that
3 prohibits employees from participating personally, substantially in an official
4 capacity, so in this case as commissioners, in any particular matter in which to
5 his or her knowledge he or any person has an interest which -- their interest or
6 someone that's imputed to them has a financial interest. So there's also there.
7 So we're trying to break that down a little bit about what that means. So a direct
8 and predictable effect. So a decision that I make is going to have an impact on
9 the financial interest of myself or somebody that -- whose interests are imputed
10 to me. So a direct and predictable effect is a -- in a particular matter is -- so this
11 is a matter that will have a direct effect on the financial interests of yourself or
12 someone else or another entity. If there's a close causal link between any
13 decision or action to be taken in the matter and the expected effect on the matter
14 on the financial interest. So here we're looking for a particular -- we're not
15 looking at -- the effect has to be real as opposed to a speculative possibility. So
16 it's not that it may possibly be the case that if I make this decision, it will have an
17 impact on my own finances or someone else that's imputed to me, that's
18 speculative. It's not that. It is it will have an impact. Okay? So if we go to the
19 next page. I mentioned imputed interest. So it's your own financial interest of
20 the interest of someone who's imputed to you. So most of these are pretty
21 normal, what you would think. So an imputed interest is one that the interest of
22 your spouse, your minor child, if you're in a part of a general partnership. And
23 the one that -- to the extent that this rule as an implication for most commissioners is
24 not usually your own financial interest or the interest of your spouse, minor child

1 or general partner, is that also you input the interest, the financial interest of the
2 organization or entity in which you would serve as an officer, director, trustee,
3 general partner, or employee. So in other words, your primary role here. And
4 that is where the, I think largely the unintentional impact of 208, which is a normal
5 federal standard, and then the structure of the Denali Commission in the act
6 where you had named -- not named, but by organization, you have named folks
7 who are serving. You -- it's not this was intentional, I don't think at least, I think
8 it's just a matter of they had it in existing ethics statute that had a rule, it made
9 sense under most circumstances, and then you have the structure of the
10 commission on the other and the two just collided. But that is the law as of right
11 now. All right. So if we turn the page. So that was intend -- 208 deals
12 specifically with the -- you actually have an actual conflict of interest. Also in the
13 regulation there is consideration given to the issue of appearances. So if a
14 particular matter is likely to have a direct and predictable effect on the financial
15 interests of the member of your household or that of a covered relationship, and
16 we'll talk about that just momentarily, and where the employee determines that
17 the circumstances would cause a reasonable person with knowledge of the
18 relevant facts to question his impartiality in the matter, the employee should not
19 participate in the matter. First, you can tell, like all these others, this was written
20 by an attorney. Right? It's very complicated. But the intent here is to capture
21 that this is an appearance issue. And I would say the most important part here is
22 that it would cause a reasonable person with knowledge of relevant facts to
23 question the impartiality. So in other words, what would a reasonable person
24 think looking in and observing what was going on here. And so finally, if you turn

1 the page, there is a description here of what is included in the covered
2 relationships. So I won't read through all of these, but there is -- basically so
3 you're just looking at somebody's who you are doing -- with whom you're doing
4 business, a member of your household, a member of your family that's not
5 necessarily a minor child but someone so close that it may, so a brother or a
6 sister or sibling that's particularly close to you that may give an appearance
7 issue, or somebody who has served as, you know, an officer, director, trustee,
8 agent or attorney for you. So those are -- again, so the primary piece with the
9 covered relationships and the appearance issue is that it's someone looking in
10 without -- with all the relevant facts would raise a question about impartiality.
11 And if that's the case then I would suggest that you just raise your hand and let
12 me know and we can talk about it and figure out if it really is an issue or not. And
13 then the very last page is simply I'm required by statute to tell you that I'm the
14 designated agency official and this is the address and phone number and email
15 by which they can be reached -- I can be reached. Okay? So that covers all of
16 the required material. I'll ask another question I know the answer to, but if there's
17 any questions?

18 COMMISSIONER JOHNSON I have a question.

19 MR. WHITTINGTON Okay.

20 COMMISSIONER JOHNSON So when I look at this imputed interest in
21 item D here, so if there is a matter before the commission that would fund a
22 university engineer to do something....

23 MR. WHITTINGTON Right. That would be a financial interest. So the
24 way we would look at that is to say, okay, the interests of the university are

1 imputed to you, because you're a senior officer with that organization.

2 COMMISSIONER JOHNSON Right. Right.

3 MR. WHITTINGTON If the commission were to decide to send the
4 money, and it doesn't matter how much, decide to send money to the university,
5 the university would financially benefit.

6 COMMISSIONER JOHNSON Right.

7 MR. WHITTINGTON And since that interest is imputed to you, I would
8 then turn to you and say, sir, you -- this may be a great idea, but you cannot vote
9 one way or the other on this. So that's a good question and that's -- you're
10 exactly right. It's the -- it could be a dollar. It could be \$1 million. The quantity
11 doesn't matter. If there is some financial benefits that's being acquired.

12 COMMISSIONER JOHNSON Okay. Because we don't really -- I
13 wouldn't think of it as a financial benefit. I would think of it as a transaction where
14 basically we are doing our mission on (indiscernible).

15 MR. WHITTINGTON Right.

16 COMMISSIONER JOHNSON But that's fine.

17 FEDERAL CHAIRMAN MEYER Specifically, the Alaska Center for
18 Environmental (indiscernible -- interrupted).....

19 MR. WHITTINGTON Yeah.

20 FEDERAL CHAIRMAN MEYER we've had a number of
21 investments with them and your predecessor could not vote of them.

22 COMMISSIONER JOHNSON Okay, very good. All right, thank you.

23 MR. WHITTINGTON Go ahead.

24 COMMISSIONER WASSERMAN So I was once told by the previous I G

1 that, for instance, it was also a conflict if, for instance, there was a project in, let's
 2 say, Ekuak, I could not vote on that because then when my board meeting came
 3 up, Ekuak would say, whoa, she funded us, let's give her a raise.

4 MR. WHITTINGTON: So, no. Well that is the absolute trickiest fact
 5 pattern and it comes up most frequently for AML and for ANF, because your
 6 membership is so widely spread throughout the state. So this is where, if you
 7 look back whenever we talked about the direct and predictable effect has to be
 8 real, it can't be speculative. So the way we would -- I would look at that is I
 9 would say so the financial interest of AML is in what? It's in the membership
 10 fees, you know, however that structure is done. So presumably, a community is
 11 going to provide a fee to you, to AML, to be a member of AML. And that is where
 12 the financial interests of AML resides. It's in the membership fees that it receives
 13 from its members. If we had facts that indicated that a community, community A,
 14 is a member of AML and there is a grant application or a project that's being
 15 considered in that community, and if we knew that absent a favorable vote in
 16 favor of community A that that community will cease being a member of AML,
 17 and therefore that the financial interests of the organization will -- your
 18 organization, AML, would be diminished, that is a direct and predictable effect. If
 19 I don't know that, if I don't know what the impact is going to be, then I can, at
 20 best, speculate. I'd say it is possible that community A could, if they don't
 21 receive this grant, they might respond by saying it's not worth our time to be part
 22 of AML. But that would be speculative on my part. And so this is where I'd come
 23 back to the definition of direct and predictable effect. And by definition, if a
 24 particular matter will have a predictable effect, if there is a real, as opposed to a

1 speculative possibility that the matter will affect the financial interests. So for
 2 everyone of those scenarios, I would have to look at that separately, each one.
 3 And I'm asking the same question. Do I have facts in front of me, do you have
 4 facts in front of you that suggest or that say that if a decision is made not giving
 5 the grant will that person -- will that entity pull their support in such a way that it
 6 will harm the financial interests of AML. And I would do the same -- it's even
 7 harder with AFN because your -- at least your membership is -- you can identify
 8 bush communities, your membership is so widely spread

9 COMMISSIONER KATKA: Do you ever have conflicts of interests with the
 10 Denali Commission?

11 MR. WHITTINGTON: Do myself personally?

12 COMMISSIONER KATKA: Uh-huh (affirmative).

13 MR. WHITTINGTON: No. Mostly because I don't have a lot of money. I
 14 mean I personally....

15 COMMISSIONER WASSERMAN: Sure, AML doesn't have a lot of
 16 money.

17 MR. WHITTINGTON: I mean if you think about it, for most federal
 18 employees who are full-time, I don't have an outside employment scenario. So
 19 for me, I'm mostly conflicted if I own stock or -- you know what I mean, I have a
 20 financial interest in an organization, a company or what not, that's going to do
 21 business and I'm actually making a decision. In my case, I'm like most people, I
 22 have a broad -- you know, I just -- I just toss money into an IRA that's broadly
 23 diversified. I don't even know what it's invested in, rather than it's broadly
 24 speaking. So for most of the commissioners, the conflicts don't arise because of

1 your -- you have stock in company A or B or C it is because of the -- to the
 2 extent that there's a conflict, it's because of your relationship with your primary
 3 employer. So that's where most of where my time and energy is focused on.
 4 And this is why the exact fact pattern your proposed or suggested is, in many
 5 ways, the hardest, because it's the most -- it's the one that comes up most
 6 commonly. How I would analyze that is I would have to ask the questions and I
 7 would be trying to figure out do I have a direct and predictable effect or not or am
 8 I just speculating. In Dr. Johnson's example, it was very clear, right? Financial
 9 interests of the university are being positively impacted. But I don't know in that
 10 scenario, about AML, because I don't know what the community is going to do.
 11 Does that answer your question, Katie?

12 COMMISSIONER WASSERMAN: Well I mean I could come up with all
 13 those -- I could come up with answers for you on every one of those. I mean I've
 14 got -- we've got the history of every community, how long they've belonged to
 15 show that.....

16 MR. WHITTINGTON: Right. And I would be relying on you, or any other
 17 commissioner. So if you -- if they brought a scenario to me, or if I identified
 18 something, I would go to the -- each one of you and say what are the relevant
 19 facts here and here's the kind of information I need. And I would do the analysis.
 20 And I would come back to you and I'd say I either see an issue or I don't. And
 21 that's -- part of what I would love to get to is a point where commissioners are
 22 engaging me if they see ethical issues or -- or even just questions. One of the
 23 things I wanted to point out in the training, and I didn't do that, is that part of the
 24 role -- the primary role, actually, of a DAO is to provide ethics advice in advance

1 of decisions so that folks can know, hey, this is either good to go or it's not. I
 2 mean that's actually my primary purpose in being here or it's one of the main
 3 things that I do. So please, please feel free to contact me. And if I give you -- I
 4 can tell you by rule and my interaction with OGE, which is the office that handles
 5 this, if it turns out I provide advice and the commissioners follow that advice, and
 6 for some reason I'm wrong, I may have issues with my employer, but you will not
 7 because you're following legal advice. So it's a way of encouraging that kind of
 8 question.

9 MR. FARMWALD: Can I give a specific example? And this ties back to -
 10 - and so keep me honest on this, because I'm not an attorney. This ties back to
 11 the decision making model that was in your briefing paper and the discussion
 12 about keeping decision making at the strategic or program level versus the
 13 individual project level. So let's say, just complete arbitrarily, that the
 14 commissioners decided that they wanted to invest some FY16 money in micro-
 15 grid control technology and you stopped there and said we'll make \$1 million
 16 available for micro-grid control technology R&D.

17 COMMISSIONER JOHNSON: Then I'm okay.

18 MR. FARMWALD: You can vote on that.

19 COMMISSIONER JOHNSON: Right.

20 MR. FARMWALD: If we go one step deeper and say we want to direct
 21 that money to ASCEP then you're back on the hook.

22 COMMISSIONER JOHNSON: Yeah, got it.

23 MR. WHITTINGTON: So the only time we would have an issue at a
 24 program level is if the program was defined so narrowly that effectively it was sort

1 of wink, wink, nod, nod, this is going to go to a particular organization. But in
 2 almost every case, we could sit down and define the program in such a way that
 3 more than one person or entity could actually receive the funds and all of a
 4 sudden as you -- you know whether it's you or any of the other commissioners,
 5 now it's -- not only is it ethically good to go, it's an easy -- it's not even hard. It's
 6 not even a hard question.

7 COMM SSI ONER KITKA: Can we get on to public comment?

8 FEDERAL CO CHAI R NE MEYER: Will any last questions for John?
 9 Hearing none, thank you, John.

10 COMM SSI ONER JOHNSON: Thank you, John.

11 COMM SSI ONER WASSERMAN: Thank you.

12 FEDERAL CO CHAI R NE MEYER: And I suspect you'll be scheduling
 13 with -- I'll check you off. You'll be scheduling with John at a later date?

14 COMM SSI ONER WASSERMAN: So we don't have to do that online
 15 thing?

16 MR. WHITTINGTON: We just did it.

17 COMM SSI ONER BELTRAM: Nope, we just did it. I'd rather do it like
 18 this.

19 COMM SSI ONER WASSERMAN: I would, too. I hate that thing.

20 MR. WHITTINGTON: I just have to do it once every three years this way,
 21 but I can do it every year if you guys like. This is easier.

22 COMM SSI ONER KITKA: We'd like -- do it for once a couple of times.

23 (Indiscernible -- multiple speakers and laughter at the same time.)

24 FEDERAL CO CHAI R NE MEYER: So public comment. And for those

1 online, what we're going to do is we're going to start with public comment with
 2 folks in the room. My apologies, but I can see them raise their hands. And then
 3 for those -- when we have completed that then we'll move to folks on the phone
 4 and try to figure out how to organize that. So do we have a list?

5 COMMISSIONER KITKA: M. Chairman, I'd like to recommend that
 6 Robert Nick, one of distinguished elders, be invited first.

7 FEDERAL CO-CHAIR NE MEYER: Certainly. Do we have a list?

8 MS. CABANA: I was just going to request that if people are here making
 9 public comment, if they have not already done so, if they could please sign the
 10 sign-in sheet so we can get your name correct in the transcript and the meeting
 11 minutes that would be really helpful to us.

12 FEDERAL CO-CHAIR NE MEYER: M. Nick, would you please join us
 13 at the table?

14 MR. NICK: Sure. Thank you.

15 UNIDENTIFIED MALE: Bring your own chair.

16 UNIDENTIFIED FEMALE: Bring your own chair, yeah.

17 (Indiscernible -- multiple speakers at the same time.)

18 MR. NICK: First things first.

19 MS. CABANA: I really appreciate it.

20 COMMISSIONER KITKA: Well just for background on M. Nick, a couple
 21 of years ago he was given an honorary doctorate at the University of Alaska
 22 Fairbanks for his lifetime work on education and other things so he's someone
 23 that we're very proud of. Thanks.

24 MR. NICK: Federal Co-chair Ne meyer, State Co-chair Lieutenant

1 Governor Bryon, Commissioner and Doctor Kitka, Commissioner and Doctor
 2 Johnsen, Commissioner Beltrami, and Commissioner -- if I don't pronounce it
 3 right, it might was Wasserman.

4 COMMISSIONER WASSERMAN: Wasserman.

5 MR. NICK: Yeah, thank you. My (indiscernible) my corporation boards
 6 here, (indiscernible), the chairman of our board of directors for Nunapitchuk
 7 Limited, a salvation corporation. And our board -- some of our board members
 8 are here attending other business. And then we (indiscernible) come here. And I
 9 believe that the spirit is stronger -- that's stronger than me guided me here with
 10 what I've heard since I came in, probably about an hour and a half ago. And with
 11 that talk and then the things that I heard of the work of the Denali Commission,
 12 their important work, which I -- the state of Alaska appreciates (indiscernible). So
 13 with that I'd like to start and make my brief comments. Early in the summer, the
 14 first part of August, our corporation, what you call a tank farm committee, came
 15 and we had a presentation of our conceptual design report from -- for our new
 16 tank farm for our new village -- for our village. Our tank farm has been there in
 17 the old site for -- since we moved back in 1978. And then one thing that's
 18 happening there in my wetland community of Nunapitchuk is our tundra is
 19 sinking, it's ponding. Even in our village, there's ponds that never existed in our
 20 tundra. And then in my further comments about climate change, I'll make a brief
 21 comment about it, too. But at the time when our chairman then and our
 22 consultant presented the cost of our new tank farm that we had in our draft,
 23 which the board approved, was higher than what we believed would be an
 24 amount that we would request -- like to request assistance from the Denali

1 Commission. So we went back to our engineers and we requested an
2 addendum which would refurbish our existing tank farm. Because of the sinking
3 of the tundra, the ponding behind it in the (indiscernible) right in front, our tanks
4 are right on the river. And behind it is pond building. So we made an addendum
5 which we are going to meet with the engineers tomorrow which would potentially
6 reduce the initial cost of a completely new tank farm on piles, on basket type with
7 horizontal tanks, by almost half, 50 percent. So with that new plan, once it's --
8 we expect it to be completed by the 1st of December, we'd like to come back and
9 present it back to your program staff, Denali Commission staff, and ask if we can
10 have some assistance in moving our tanks to a site that's already been -- had
11 site control done, there was a (indiscernible). There's no other work that needs
12 to be done with BLM because our corporation bought it from a Native landowner
13 as part of our village expansion -- subdivision. So our corporation board has
14 been working on this project for quite a number of years now. With this plan,
15 current plan, our corporation is committed to coming up with 20 percent of the
16 cost, the total cost, we're committed. We've already got a business plan done
17 and approved. And we've already talked about the many things that would be
18 required as part of the project, like the funds that we need to establish for
19 maintaining for R&R and then for other costs that would be involved. So we
20 pretty much done all of the planning. Now we're on the -- what they call the last
21 stretch of moving our tanks to a new location. So sometime in December or
22 early part of the year, we'll try to make an appointment with the staff down here
23 and then we'll present our revised draft for our project. So in the review by
24 Department of Environmental Conservation on the State, our tank farm, on page

1 9, was stated right there in bold letters, imminent threat to our community,
 2 because it's right on the river, right (indiscernible) in the village. And if we have
 3 some leaks, it will go right into the river, which is our -- where our fish -- all of our
 4 fish are right there, our food, our food supply. Because we're a (indiscernible)
 5 village. So once we have our new plan completed, we will present it again to the
 6 commission and would appreciate any help that we could get for the safety of our
 7 village. Our tank farm is our heat, our lights, our food in refrigerator, our food in
 8 our freezers, lights our school, lights our businesses, lights our churches. The
 9 fuel that's in that tank farm is used by the entire community. We have two
 10 governments, municipal and tribal. And they both purchase all of their energy
 11 needs from our tank farm. So it's kind of a life comfort of our community. So I'll
 12 stop there with our -- you know, because we'll be presenting our draft again once
 13 it's done. But I'd like to make comments on what I also caught in your
 14 conversation, which is the Arctic concern about the Arctic warming. It is a
 15 concern everywhere for us that live in the villages, around the coast, in the
 16 villages, especially those of us west of Anchorage that live in the wetlands of
 17 Alaska. We're in the wetlands. If you fly over 3,000 feet west of Bethel, you'll
 18 wonder where the land is and you'll see houses. That's my home. So we're also
 19 concerned about global warming because of our tundra. Our land is sinking. It's
 20 not only the four communities with that relation issue. It's all those villages in the
 21 wetlands that very soon someday will need to move to higher ground. And then
 22 the other final comment I'd like to make is in the -- also connected with global
 23 warming is the Bering Sea. From the Pacific Ocean, you cross probably through
 24 Unimak Pass. If it's big enough, it will probably go around a larger pass down

1 the chain. But with the Arctic climate, the ice thawing up in the Arctic waters,
 2 icebergs disappearing, the Bering Sea is potentially going to be the gateway to
 3 the north and across Alaska back to -- back south. And then that's going to
 4 greatly affect the habitat of the food chain of all those coastal communities. The
 5 sea mammals, the fish, they all migrate the same path. All the salmon migrate
 6 from Unalakleet and to the mainland right there, at (indiscernible). That's how they
 7 migrate to the north. And all the food supply for them is right under the ice. And
 8 with disruption to the habitat and the food supply, those sources of Western
 9 Alaska, the coastal village and all the way -- I mean all the way to Barrow
 10 someday is going to be affected by a new gateway to the north. So that's
 11 another major concern of coastal villages. That will probably be happening not in
 12 my time, but someday it will happen. They built the Panama Canal to make a
 13 shortcut to go down to the ocean. Mother Nature will take care of that by thawing
 14 all the ice. It will open up the ocean, the ocean up north, all that waters, so it
 15 could be world's gateway to have -- endirde us for commerce, for tourism, for
 16 everything that humans might like to do. And I thank you for listening to my
 17 comments. I appreciate this.

18 COMMISSIONER KITKA: Could you tell us how big your village is?

19 MR. NICK: Like?

20 COMMISSIONER KITKA: What's the population in your village?

21 MR. NICK: At the last census, probably about 565. And then there's --
 22 we have those neighboring villages Kasiaguk, which has probably a little bit
 23 more. Then seven miles east of us is Atmautluak, probably about 500, 400 plus.
 24 But we're right smack center of that wetland. Thank you.

1 COMM SSI ONER K TKA: Can staff tell us where they're at on the priority
2 list?

3 FEDERAL CO CHAI R NE MEYER: Well I was about to say your new
4 best friend is Jay Farmwald, our director of programs. So in December, you
5 want to call him. His direct line is 271-1413.

6 MR. N CK: I have his....

7 MR. FARMWALD: Yes, we met a month or two ago.

8 FEDERAL CO CHAI R NE MEYER: Excellent.

9 MR. N CK: Yes. Thank you.

10 FEDERAL CO CHAI R NE MEYER: Well to the question, as I understand
11 it, Nunapitchuk is connected by....

12 (ind scribble -- multiple speakers at the same time.)

13 FEDERAL CO CHAI R NE MEYER:to AVEC

14 MR. N CK: I'll give you a little history about AVEC. AVEC powers 52
15 villages currently in the state. And they started with my village and a few other
16 villages. And then they built. And an interesting thing, you know, is Byron was
17 deputy director of -- oh what -- somebody from (ind scribble) right out of high
18 school. And I was right out of school at home. Private (ind scribble) trying to
19 plan a future for my village and we started talking about electricity, because my
20 father's did electricity, he put the -- to listen to sound, he put the exhaust down
21 into the ground, but it kept going up. We started talking about AVEC, some sort
22 of a co-op to provide electricity. So thanks to Jimmy Hopen (ph), Lloyd
23 Thompson, Willie Hensley, Diane -- a dentist's wife in Bethel, and I believe
24 Eugene Gaffy (ph) from up north, they went to -- they hired a man named Lloyd, I

1 forgot his last name, but they went to D C and got an REAA loan and got AVEC
 2 started. And Nunapitchuk was one of the first villages. And Kasi g uk is only two
 3 and a half miles away, they wanted a power plant too. But at that time, the state
 4 had direct -- like statutes for -- they had fourth class -- fourth class cities then. In
 5 order for a rural community to become incorporated, they have to be at least 10
 6 miles away from another incorporated city. So we invited the folks from Kasi g uk,
 7 and then (indiscernible) and then I think you came -- Al came and then he told us
 8 (indiscernible) in order for Kasi g uk to have power like Nunapitchuk, if we do form
 9 a city, you would have to move seven more miles away, because the state says
 10 that they can't incorporate unless they're 10 miles away. So they decided to
 11 incorporate as one city with -- okay, we'll sit -- we said well okay, we'll
 12 incorporate one city. And we were talking about a name. So what name will you
 13 give a city? I said Al Wdmark (ph) was there, the director, and then Byron was
 14 deputy director, what about we call it Al-Mallott, Alaska. They -- some elders
 15 said that we'll -- we'll name it something local so they named it the City of
 16 Akulimute (ph), which is what we determined, Akulimute (ph). So that says we
 17 have AVEC power. And then later on -- yeah, Diane Cotton is one of the other
 18 AVEC board members. And then not too -- maybe 10, 20 years later -- well I
 19 guess they had windmills up in Kotzebue. AVEC said they would like to those in
 20 Nunap and then see if they could reduce our electric -- cost of electricity. So by -
 21 - before then, they had built a tie-line, right from the beginning from day one,
 22 they put -- they built a tie-line from Nunapitchuk, that's where the power plant
 23 was, all the way to Old Kasi g uk and to New Kasi g uk. So -- but 12 years ago,
 24 AVEC came again and said we'll build you three windmills that will reduce your

1 power, because each windmill will be able to generate 100 kilowatts, so 300
 2 kilowatts, it will be -- reduce -- and that will reduce your fuel consumption.
 3 Instead of using a big generator, they use a small generator, which will burn less
 4 any fuel. So we said fine, we'll go along. But they said we'll have -- but we'll
 5 have to move your power plant in Nunapitchuk of Akula (ph) because we're in the
 6 wetland. Part of Kasiguk had moved to the hills. So they did move them. So
 7 they built a tie line and those three windmills. And then my own light bill per
 8 month, just before that I was paying almost \$300 a month, sometimes over \$300
 9 a month. After that, I was paying a little over \$100 a month. So it did help with
 10 the tie line and with the windmills. So those are good alternatives that are
 11 enjoyed by many communities now today. Thank you.

12 FEDERAL CO CHAIR NE MEYER Thank you, M. Nick.

13 UNIDENTIFIED MALE Thank you.

14 FEDERAL CO CHAIR NE MEYER Anyone else in the room here that
 15 would like to speak with commissioners? Gvy.

16 MR. KOCHANWSKI: Good afternoon commissioners and members of
 17 the public. My name is Gvy Kochanwski. I'm here to make some brief
 18 comments. Primarily, to say thank you, I'm sorry, and I promise to work harder to
 19 do better for you. I'm primarily making these comments as a taxpayer and an 18-
 20 year public servant with Unde Sam and a distant third probably as the local
 21 DOE rep in the state. First, I'm going to give the good side of things and the
 22 positive side. I really want to thank all the commissioners, for those of you who
 23 have not met me (indiscernible). The Denali Commission has hosted me for 18
 24 months in the last two years. Since DOE came back in business physically in

1 Alaska, the commission graciously hosted the Department of Energy here in this
2 building. And I'm very appreciative of that, as is my leadership team. I think it's
3 really key for my department to be engaged in this state. And I think most people
4 would agree with that. And secondly, I really appreciate the staff and Joel's
5 working -- the team here of (indiscernible) MOU with my office, the Office of
6 Indian Energy. Although the impetus of that predominantly was to further the
7 START Program, which is one of our flagship programs, and that has taken a
8 different course, there are many positive outcomes where I think there's some
9 great opportunities for us to work together. In particular, I think that one really
10 strong outcome of that has been the Army and the RAN Program. You know, we
11 were just a small piece of that effort, but I'm very happy that, you know, we did a
12 little bit of money toward that effort. And it's a very worthy effort. And I think that
13 the MOU in place, and we're looking to have other MOUs with other
14 organizations around the state, is definitely a step in the right direction to take
15 limited federal and state and private sector dollars and stretch them as far as we
16 can in these limited financial times. On the apology side, sorry that there's been
17 a lot of time and waiting sometimes for my office to do stuff. (Indiscernible) it
18 takes time sometimes. For the commissioners, the lack of communication from
19 myself and our office, it certainly seemed quite abrupt the course of change with
20 the START Program. I know we definitely -- on the commission staff side and in
21 my office, and my team has put a lot of time into doing this. And then over the
22 course of this last year, we've had four permanent or acting directors. So
23 naturally everyone has their own take in where they want to take -- steer the ship.
24 So we now have stability. We have our key seven positions in our program office

1 filled, six in D C and I'm the one up here. With this new direction, we will be
 2 doing the START Program by ourselves, but certainly I don't want to make that
 3 be a showstopper. I think there's many, many areas where we can collaborate
 4 and work together. I think the commentary here certainly is one that is very
 5 important to us and that is the Arctic. I think that the -- you know, I personally
 6 very strongly believe in the mission of this Denali Commission. I think it's a
 7 beautiful partnership with all the key stakeholders represented. And I think
 8 there's this very important message which collectively we can put forward. And
 9 that is on how to really get the Arctic right. I'm actually walking over here from
 10 jury duty this afternoon. I had a couple calls from D C kind of saying, hey,
 11 watch out what you say, don't get ahead of the train. And I think certainly talking
 12 with federal agencies, folks in D C that are smart reach out to us to ask about
 13 Alaska and work with us and try to get the train moving. The president was up
 14 here almost -- going on two, three months ago. There's a lot to be done. And I
 15 know, in Alaska, we realize that and I think it's really key for us to pull together. I
 16 was of interest of this Energy Steering Committee to (indiscernible). Certainly, I
 17 would like to be included if that's your will. A prime example of why I think that's
 18 important is recently at the Arctic Energy Summit, the sponsoring organizations
 19 and planners did not have the U S Department of Energy anywhere in the
 20 agenda and it's an international energy conference. So, hopefully, we don't have
 21 things like that happening in the future. I would like to be part of that. I certainly
 22 would like to bring anybody from my organization into that effort if it adds value
 23 here. And finally, anybody who has ever talked to me about the challenges of
 24 this federal Arctic strategy, I'd like to do so with that. And that is what I call the

1 three Cs. Ambassador Brzezinski's heard it many times on this, my leadership
 2 chain up at DOE and anybody else who's willing to listen. And they are
 3 Order of a command and control, and cost. It's something that every federal
 4 agency faces and, certainly, I think the commission is in the same boat. Long
 5 after the ball ends and no longer is D.C. focused on the Arctic Council, we still
 6 have eight years of the Arctic strategy, at a minimum left. We all live it. We do it
 7 day in and day out here in Alaska. I think it's very key for us to not lose, you
 8 know, sight on the quick flash of Arctic Council and actually focus on the long-
 9 term executive order, the Arctic strategy, and our core mission as federal
 10 agencies and certainly in partnership with our state and local, municipal and tribal
 11 governments. The command and control side. I think Joe hit the nail very well
 12 on the head (in a scurrile). I mean it is a guessing game of who's on first, it
 13 seems like. There's a lot of folks that want to do good. There's a lot of positive
 14 initiative. But really, who's actually driving the train on this policy? And a lot of
 15 people are trying to get their arms around that. I know my piece of it, there's
 16 about 20 or 22 federal agencies that have a varying lead role with the
 17 national Arctic strategy. There's still a question about what exactly the three or
 18 four that are dealing with energy are going to be doing collectively. I think
 19 Admiral Papp said it best at the Arctic Energy Summit that, you know, the U.S. is
 20 charged with this. The Arctic Council is a quarter over and we have very little to
 21 show for it. So I think the time for action is long overdue. And, finally, this is the
 22 big challenge to put the elephant in the room for all of our organizations is Arctic
 23 activities are a huge lifeline for Alaska, but it's an unfunded mandate both in staff
 24 and funding. That, you know, everyone expects the world. The president

1 definitely raised expectations very well up here. And it's important, I think, for all
 2 organizations to be pulling together in the cost of it. But, you know, I think it
 3 would be great to get back to the time, and I know there was a lot of discussion
 4 about the, you know, high watermark of the commission when there was good
 5 funding and strong staff. I think it would be great down the road like, you know,
 6 when there used to be agencies embedded in partner here. I mean I can
 7 remember when I first started working with the commission after I got out of the
 8 Air Force and I was in the Forest Service (incredible) in staff. I mean there
 9 was -- pretty much a lot of the federal agencies, a lot of the standing agencies
 10 were. I'd love to see us get back to that level. And I think Arctic is a very good
 11 way to do that. So thank you for your time. Again, I'm sorry -- if you haven't met
 12 me, I'd definitely love to work with you and your staff. I know the commissioners
 13 all probably have more important jobs and bigger fish to fry than little de me, but
 14 if you have staff members you'd like to link me up with that I can keep the
 15 communication lines open, please know that this part of the Department of
 16 Energy, I'm here to serve and I'm definitely here to help you. Thank you.

17 FEDERAL CO CHAIR NE MEYER Thank you, Gov. Anyone else in the
 18 room who would like to give public -- oh, Dr. Johnsen, thank you. Here's a
 19 question a commissioner asked about the status of a particular community in
 20 Nunapitchuk. So David with Alaska Energy Authority, could you give us an
 21 update on the initiative that we're collaborating on in updating the bulk fuel
 22 (incredible) methodology?

23 MR. LOCKHART: The priority list itself?

24 FEDERAL CO CHAIR NE MEYER Yes.

1 MR. LOCKHART: So my name is David Lockhart. I'm with the Alaska
 2 Energy Authority. I've been involved in both the tank farm design and
 3 construction there for 20 years. And I'm the lead at the agent -- at AEA on this
 4 Denali Commission initiative to come up with a new priority list for bulk fuel tank
 5 farm repair. So about a month ago, at the end of September, I provided the
 6 commission with a new priority list by community. Jodi Fondy actually asked me
 7 also to provide the list by tank farm, which was a very good question, because
 8 it's a different list. And so I provided that. We have a draft report in house that is
 9 under review of some recommendations to the commission on how to proceed
 10 with bulk fuel upgrades in rural Alaska based on some specific questions we got
 11 from Jodi and Coe. So that's not complete yet, but it's under review in house.
 12 Does that answer your question?

13 FEDERAL CO-CHAIR NE MEYER: Yes.

14 COMMISSIONER KITKA: But for example, for Mr. Nick on that, if he
 15 could say we're number three on the priority list or are we number five on the
 16 priority. I mean when he goes back to his village what does he tell his council?

17 FEDERAL CO-CHAIR NE MEYER: Right. And I think part of the
 18 questions is why Jodi and (indiscernible) probably were talking about it is you
 19 look at a community and there are multiple tank farms. And so one of the things
 20 they're starting to ask is should different tank farms be looked at in a different
 21 way, in a different prioritization? And what I was getting to in Nunap's case that
 22 the AVEC has a power plant there, which -- and they actually buy fuel from the
 23 school. They don't have a -- they don't have a tank farm there any more. They
 24 just have a backup generator. So as I understand it, it's just the corporation tank

1 far m So that's one of the questions, how do you rank all of these different.....

2 COMMISSIONER KATKA: But are they on any list or they're not on a list?

3 FEDERAL CO-CHAIR NE MEYER: Well they're on the list.

4 MS. FONDY: They are on the list.

5 UNIDENTIFIED MALE: And they're close to the top. Not number one. I
6 can't remember the exact number.

7 MS. FONDY: This is Jod Fondy with the Denali Commission. On the
8 list that separates the tank farms out individually, their water treatment plant tank
9 is in the top five, in like number three. And the corporation tanks are down
10 around the 20 -- the 20th rank. And with the amalgamated approach, the list that
11 we originally got where there was an average from all of the tank farms in the
12 community, it was number 13 out of 56.

13 COMMISSIONER KATKA: So translating it. Before you changed it, they
14 were close to number one, you said?

15 MS. FONDY: The individual tank farms list, they're number three.

16 COMMISSIONER KATKA: Number three.

17 MS. FONDY: For the tanks, their two tanks at the water treatment plant.

18 COMMISSIONER KATKA: Right. So number three. And then when you
19 change it what happens to them?

20 MS. FONDY: When they take the corporation tanks, the tanks at the
21 water treatment plant, the school district tanks, they take all of those scores and
22 average them out, and they're number 13 on the list.

23 COMMISSIONER KATKA: Number 13. And typically how many years
24 does it take to get down.....

1 MS. FONDY: We are looking at a different approach for projects in the
 2 future. And that will be some recommendations that come out of the Bulk Fuel
 3 Workgroup. One idea is that there may be some opportunities for refurbish
 4 tanks, repair leaking fittings, repairing tanks, replacing ones that have to be
 5 replaced, but lowering the cost to reach more communities. At this point with
 6 roughly \$4 million in TAPL a year, we can address replacing maybe one a year.
 7 So at number three on the list, it could potentially be three years.

8 COMMISSIONER KITKA: Okay.

9 MR. FARMWALD: And that was for the water tank.

10 MS. FONDY: With the funding that we have available.

11 MR. FARMWALD: But the corporate tanks were -- ranked individually,
 12 the corporate tanks were what number again?

13 MS. FONDY: About 20. But my assumption would be to -- as we look
 14 at.....

15 COMMISSIONER KITKA: So would that.....

16 MS. FONDY:funding projects not.....

17 COMMISSIONER KITKA:translate in one per year so 20 years from
 18 now that they're going to get help?

19 FEDERAL CO-CHAIR NE MEYER: If we do -- if we're doing brand new
 20 That's why the refurbish question is important. That's one of the things that staff
 21 is working on. What is the advantage of looking at it differently? And that will be
 22 something that we'll bring back to commissioners.

23 MR. FARMWALD: And, you know, to Nunapiuk's credit, they were
 24 very receptive to the idea of asking their engineers to evaluate a refurbishment

1 project versus a new standard one project that would be twice as expensive

2 COMM SSIONER KITKA: Okay. Got it. Okay, thanks.

3 FEDERAL CO CHAIR NE MEYER: Yes, sir?

4 MR. NICK: Can I comment?

5 FEDERAL CO CHAIR NE MEYER: Please.

6 MR. NICK: Thank you. Tomorrow-- right after our meeting with staff in
7 August, we went to our engineers and asked them to make an addendum with
8 CDR. So tomorrow we will be seeing them. We have three options. I mean
9 that's all -- they've all been (indiscernible). And then the (indiscernible) when we
10 -- if we approve it, to use our current tanks, bulk tanks, based on the engineers.
11 Those other ones have a light (indiscernible) what you call life of probably
12 another 40 years. And the upgrade tanks, another 10 years. So in order to meet
13 our upgrade, the current plan is that we -- the plan that we'll be presenting, which
14 is brand new December plan to refurbish (indiscernible) but at the new site,
15 which really (indiscernible) the corporation, the city. All of this planning was
16 done jointly between the tribal council, the city council, and the corporation for
17 the last 16 months. We met -- at every turn, we met. So the plan that we'll be
18 presenting to -- later in December is a refurbished plan, but not on the site. The
19 site was determined to be not an option because of the conditions, but at the new
20 location. But we'll hear tomorrow the initial report from our engineers. He said
21 he could potentially cut the cost by almost half, but using the same tanks that we
22 have. The initial plan that we had was to upgrade and increase our capacity.
23 And we will do it jointly with the city, because they do have a need to upgrade
24 their tank, too. But our current plan is to upgrade just the corporation tanks,

1 because we have -- we already have a site selected.

2 COMMISSIONER KITKA: I hope you'll come to our next meeting and let
3 us know how everything went.

4 MR. NICK: Yes.

5 COMMISSIONER KITKA: Good.

6 MR. NICK: I certainly will.

7 FEDERAL CHAIRMAN MEYER: Thank you. Anyone else in person
8 who would like to give testimony or comments? Hearing none, we're going to go
9 folks online. And I had had a conversation previously with someone who wanted
10 to speak to the commissioners and that's Eugene from Shaktodik. So are you
11 online, Eugene?

12 MR. ASICKSIK: Yes, I am.

13 FEDERAL CHAIRMAN MEYER: Please, would you chat with us?

14 MR. ASICKSIK: What's that?

15 FEDERAL CHAIRMAN MEYER: Please proceed.

16 MR. ASICKSIK: Okay. Yeah, my name is Eugene Asicksik. I'm
17 re-elected by the City Council of Shaktodik as the mayor. And brief history is I
18 was mayor from '80 through '86. And again in 2010 through 2013. And I'm back
19 with mayor again. I was involved in this Community Development Quota
20 Program. I was the president and CEO of NSEDC or Norton Sound Economic
21 Development Corporation. And most recently, I was one of the 12 that met with
22 President Obama and, you know, spoke to some issues that I had for about two
23 minutes -- yeah, about two point five minutes, I guess. But I'm calling mainly for
24 the City of Shaktodik. We are listed as one of the five communities in imminent

1 danger of erosion -- eroding away. And my understanding, and I got a different
2 after I had a lengthy telephone conversation with Joel, but I thought the president
3 stated there would be \$14 million. And then on Channel 2, there was talk of
4 maybe four communities receiving up to \$2 million. But after having the
5 conversation with Joel, I think it could be different. And so basically I was told
6 that the commissioners would be meeting, which is today, and I wanted to bring
7 up the issue. And Shaktodik has moved twice before. We used to live six miles
8 up the river. Religion came and then education came and they could drift get the
9 materials up the river so they built the school on the beach, which is roughly two
10 miles east of the current village. And as erosion started in the mid '60s and we
11 relocated and actually started the relocation in '78 -- excuse me, I'm sorry, '68.
12 And landslides came along then the corporation selected all the lands, which I
13 was involved in, too. And we actually started moving in '72. And the big move
14 came in 1974. 1975 with the, you know, six homes prefabricated and then 21 homes
15 followed and then the final four came in 1976. So we continued to get eroded.
16 And we've lost, since we relocated to this new village -- or the site, we've lost
17 about 150 feet of beach. The last storm we had in 2013, it, what I call crested. It
18 eroded to where the driftwood started piling on top of the land or where the
19 homes are built. And, you know, the community had picked the position to stay
20 and defend after many years of talking about relocating and noting that, you
21 know, we weren't getting some of the infrastructure such as tank farms, ditches,
22 because we were planning to move. But once we took the position of stay and
23 defend, we've gotten our school remodelled to the tune of \$9.2 million. We got a
24 \$1.5 million multipurpose room, which also will act as an evacuation center. And

1 also it makes the school less of a fire hazard, because we've moved the kitchen
 2 out of the school into the MPR. And then on our own with private money, we
 3 started building a berm. And what we basically did, as I stated earlier, the last
 4 2013 storm the wood crested -- or the water crested over. So we pushed the
 5 logs, the drift wood over to eight feet. And then we started building a berm. And
 6 we took the wash gravel from the mouth of the Shaktodik and (indiscernible)
 7 River and after inquiring who owns it. You know, lands, there's a line there.
 8 But this mouth of the river has been moving west and it moved probably roughly
 9 600 feet since the Coast Guard put a navigational beacon over there. And it
 10 looks -- it was a question of who owns the gravel that drifted along with coast and
 11 deposited at the mouth of -- you know, on the mouth of the river. And we
 12 checked with the regional Native corporation, the village corporation, and
 13 knowing that on that Bering Straits bankruptcy they transferred subsurface. The
 14 village corporations created net operating losses, or better known NOL. So all
 15 those NOLs and generated cash and purchased some of the subsurface back.
 16 But Shaktodik and several other villages didn't get the full benefit. So we own
 17 surface subsurface. And then since it was corporation, they donated the gravel.
 18 The tribal government purchased two military trucks, dump trucks, at \$9,000 a
 19 piece. And then we got Northland to do a run from Anchorage to Shaktodik for
 20 \$13,000. And the city obtained funds from our CDQ organization. And so far we
 21 haven't had a storm. But we still recognize that, you know, what's being talked
 22 about by the scientists is in 85 years the ocean is supposed to rise about 14 feet.
 23 And just to give you an example, in front of homes, using the GPS, you're about
 24 10 feet above sea level. And if you stand on top of the berm, you're about 14

1 feet above sea level. So basically, I guess I'm saying in 85 years this whole spit
 2 should be under water. And I think the urgency is more apparent with global
 3 warming and, you know, what's happening with Alaska and the Alaskan coast in
 4 particular, we need to move probably a little faster before the next storm hits. So
 5 that's what I wanted to explain out. And also all of the commissioners would be
 6 approaching, you know, the communities that had been listed by the federal
 7 government, the five, are in imminent danger of erosion, which Shaktodik is one
 8 of.

9 FEDERAL CO-CHAIR NE MEYER: Well let me briefly answer that and
 10 then ask you to keep engaged with me and my staff. But what we want to do is
 11 we want to understand what the expectations are in D.C. We want to develop a
 12 stronger relationship with the Arctic Executive Steering Committee, which is the
 13 group in -- the federal group in D.C., which will have some oversight of the Denali
 14 Commission's work in this area. And then we want to then engage with
 15 communities, because we don't want to engage with communities and get them
 16 answer -- asking the question what is it we're going to do when we ourselves don't
 17 know what we're going to do or we're looking for that direction from D.C. So,
 18 Eugene, what I would suggest is that you keep in contact with me and/or my
 19 staff, in particular Jay Farnwald, and we'll keep the conversation going.

20 MR. ASICKSIK: Thank you. But I would also like to state that, you know,
 21 we will continue to do things on our own. We will add to the gravel berm this
 22 coming summer or next summer. And hopefully we don't have storm. I figure we
 23 got until December, I think, the next high -- we just went through a high water,
 24 which was six to eight feet that, luckily, the winds were more of a east, southeast,

1 which did not, you know, impact us that much with water and the wave action.
2 And the next one, I believe, is around the 17th of November. And I think once we
3 make that, we, you know, maybe broke the curse of every odd year. And the
4 reason I say that is that the most recent storms were in 2007, 2009, 2011, 2013.
5 So we thought we'd have one in 2015, but so far we haven't. And as I stated, I
6 plan to work on, you know, getting some type of road. As I said, this is all
7 washed gravel that we picked up from the mouth of the Shaktodik and
8 Dunumiric (ph) and we trucked it back under two miles. And we need to get to
9 about 14 miles to 13, 14 miles to get those heavier materials. And, you know,
10 the idea is that once the road is built then that road could be used to relocate
11 (indiscernible) or maybe 60 up to 70 percent of the homes. And as I mentioned
12 to you, Joel, you know when the Historical Society wanted to build these cabins
13 along the historical Iditarod Trail, we owned the land around the trail and the trail
14 has a right of way. And so we took that opportunity to trade four sections of land
15 with the federal government and that's roughly about a four-mile square. And
16 that is, you know, our proposed relocation. But not much work has been done to
17 it. It's been identified and it's already (indiscernible) as BLM and, you know, the
18 regional corporation, the village corporation. And I must say that the tribal
19 government in Shaktodik has been taking the lead in working with -- you know,
20 working with feds and have received several grants. And they have done the
21 work and a lot of studies have been done. The Army Corps of Engineers, you
22 know, they did some studies out here and, you know, in front of the village and
23 the wave action. And I guess the most notable one was Ruth Carter and Harvey
24 Smith. I guess they're beach experts. And, you know, they went the whole 15

1 miles and basically told us that we will continue to get eroded, but the battle
 2 continued to move west as it breaks off on the cliffs. I talked about the 13 miles
 3 to the foothills, what we call the foothills. So, yes, we will stay engaged. And,
 4 you know, hopefully we won't have a fall storm this year.

5 FEDERAL CO-CHAIR NE MEYER: On the 17th, we will be crossing our
 6 fingers for you.

7 MR. ASICKSIK: Well that's predicted next high water. And then after
 8 that, hopefully, it will be frozen. But this climate change and we -- we can still go
 9 boating.

10 FEDERAL CO-CHAIR NE MEYER: It's amazing.

11 COMMISSIONER KITKA: Eugene, this is Julie Kitka. Would you have
 12 any use for -- if the military did an exercise out in your community to help you
 13 build up your berm? Have you guys thought of approaching the military? I know
 14 they did some road building in Metlakatla and they do other different exercises.
 15 Maybe this is something that we could inquire with them. Have you thought of
 16 that?

17 MR. ASICKSIK: Yeah, we have, Julie. And I thought that was -- when I
 18 listened earlier, I signed on probably about 3:00 o'clock and recognized your
 19 voice. Yeah, we thought about that. And, you know, I -- you know, kind of
 20 watched Newtok and, you know, kind of understand they might be, you know, in
 21 the line of \$63 million, which would do, I think, quite a bit for them.

22 COMMISSIONER KITKA: Right.

23 MR. ASICKSIK: And, you know, I was mainly contacting Joel about a
 24 week ago on, you know, is it -- is it really true that we could probably apply for up

1 to \$2 million. And, you know, my thoughts are is to build a road -- and one thing I
 2 forgot to say is I made a very strong argument with FEMA in 2013. They kind of
 3 brushed us aside in 2009 and 2011 and said that we didn't do enough mitigation
 4 to combat storms. And, you know, I explained to them -- but they -- they
 5 awarded us \$1 million. And it's pretty well penciled out on how it will be spent,
 6 how many type of trucks and how much we're going to rent them, how much
 7 we're going to pay the operators. But the problem we ran into, as I stated earlier,
 8 that we received a \$1.5 million MPR, multi purpose room, which serves -- which
 9 we attached to the school and serves as an evacuation. And it's built higher and
 10 a lot sturdier, you know, than the rest of the buildings in the community. And the
 11 state has a single audit that's required so -- but we put all resources, including
 12 our community (indiscernible) from our regional CDQ group, NSCDC in to this
 13 building. And so when we got done, we basically didn't have the funds. But we,
 14 again, generated income and used funds that we have generated. And we've
 15 already hired and they've completed -- Atman Rogers has done the audit. And I
 16 just signed the paperwork a couple days ago. And hopefully that we'll be in good
 17 standing with the state. And the feds or FEMA funds will be available. And
 18 that's, you know, part of where we relocated from, but in the direction that we
 19 want to do. And the reason we picked that is because we have roughly 30 feet of
 20 surface left before we become an island. And (indiscernible) the evacuation
 21 route, except there, and, you know, my personal prediction is that we have
 22 maybe less than 10 years if we continue to have storms to where we will lose,
 23 you know, this operation. And I did speak to Joel and, you know, we got the
 24 Beson Sew, which is roughly about 10 miles of lakes. And every time I'm berry

1 picking with my family and going through there, I can see about a foot and a half
 2 of sod and then there's just sod dice. So, you know, that would be the only
 3 alternative road. But again, you're dealing with permafrost. And once the strips
 4 gone, I think that a lot of this surrounding area, as someone referred to earlier,
 5 it's wetlands, will be under water. And, you know, I guess there would have to be
 6 more studies. But I think it -- and that's one of the things I was bringing up to the
 7 president is that, you know, local knowledge and -- I don't think the wheel needs
 8 to be reinvented every time, you know, there's a project for like....

9 COMM SSIONER KITKA: Well, Eugene, I appreciate your leadership in
 10 the community on that. You are a well respected leader all across the state on
 11 that so we really take your advice to heart. So we'll see what we can do.

12 MR. ASICKSIK: Yeah. I thank you and, you know, just -- like I said, I
 13 built 21 homes that were built here and then I built the six that were prefabricated in
 14 Anchorage. And then I contracted with BIA, Bureau of Indian Affairs, to
 15 complete the four. And we also, under my mayor, we put in our own water and
 16 sewer. And apparently we got our own LED street lighting. We just -- I heard
 17 AVEC's windmills and we just worked with AVEC. We do have a wind-to-heat
 18 boiler. And we just re-inflated our tank, and working with the Safe Water, Denali
 19 Commission and a CDC. So we're, you know, concentrating on energy savings.
 20 And also to protect the community. And so far we haven't been tested with our
 21 gravel berm. And that's just within the last three years, we've put probably about
 22 \$22 million.

23 FEDERAL CO-CHAIR NE MEYER: Thank you, Eugene. And we'll stay
 24 in contact. So now comes the interesting part. Folks online who wanted to

1 testify, and I don't know who else online would want to testify so jump in

2 MS. GOREN This is Nome. Can I go? This is Angie Goren.

3 FEDERAL CO CHAIR NE MEYER Please.

4 MS. GOREN Okay. Good afternoon, commissioners. I wish I were
 5 there in person so I could shake everybody's hand and thank you so much for
 6 your support in the past. This is Angie Goren. I'm president and CEO of Norton
 7 Sound Health Corporation in Nome. And I'm also in my office with Kevin DeFoe
 8 (ph), the director of our environmental health program. We're sitting here in my
 9 office, which is in one of the top 20 most beautiful hospitals in the nation, which is
 10 the Norton Sound Regional Hospital. And the Denali Commission provided \$15
 11 million to design and build this facility. So thank you so much for that. Our goal
 12 is to ensure that all 15 of our villages that we serve have the same state-of-the-
 13 art facilities that we have here in Nome. And over the past 15 years, the Denali
 14 Commission has contributed about \$14.3 million to help us either build or
 15 renovate all but four of our 15 village clinics. All of those four now have a final
 16 design. And again, we want to extend our appreciation to the Denali
 17 Commission, because you did contribute \$120,000 toward the 52,000 square
 18 foot design for both Gamble and Savoonga. And if you're not familiar with the
 19 remote location of both of those villages, you could actually see Russia from the
 20 window. And Gamble is actually closer to Russia than the Alaska mainland.
 21 The cost estimate for both of these new clinics is about \$4.3 million. So today
 22 I'm calling to ask for your consideration and support for the construction of these
 23 clinics. We are very aware that the Denali Commission does not receive the
 24 Congressional earmarks as you did in the past. We are aware that you

1 supported some clinics in the past few years in modest amounts. And I just want
 2 you to know that Saint Lawrence Island, these new clinics, have been North
 3 Sound state and federal priority for the past decade. Last year our board of
 4 directors dedicated \$1.9 million and that allowed us to install the pilings as well
 5 as the foundation in both communities. So they are sitting there shovel ready.
 6 And today I ask the Denali Commission to consider funding the completion of the
 7 site work for the water, the sewer, the fuel, electrical and other outside
 8 improvements. The preliminary cost estimate for this in 2014 was \$550,000.
 9 Our request today to you for your consideration is \$500,000. And that would
 10 facilitate the work for both Gambel and Savoonga. We've successfully partnered
 11 with you in the past. We have a track record of completing our projects on time
 12 and within or under budget. Most recently, our board of directors dedicated
 13 another \$1,645,000 to fund construction. It's our goal to start this construction in
 14 the summer of 2016. And we are working really hard to finalize our funding plan.
 15 And your support to help us meet this goal would be extremely appreciated. So I
 16 just want to thank you for listening. All of your support, that \$14.3 million that I
 17 mentioned before has been invaluable for all of our communities. And I just want
 18 to thank you again for all you've done for rural Alaska.

19 FEDERAL CO-CHAIR NE MEYER: Thank you, Angie. Anyone else
 20 online who would like to speak to the commissioners?

21 MR. PAUL: Jimmy of Kipnuk.

22 FEDERAL CO-CHAIR NE MEYER: Yes, please.

23 MR. PAUL: Yes, this is Jimmie Paul (indiscernible), the Native Village of
 24 Kipnuk. I'm kind of an administrator and I'm former president of the Native

1 Village of Kipnuk. (Indiscernible) allocating the \$1 million to Kipnuk bulk fuel
 2 utility project, because our tanks are out of Coast Guard compliance to meet the
 3 Coast Guard (Indiscernible) like 40 hours HAZWOPR and bulk fuel
 4 (Indiscernible) training. And our (Indiscernible) tanks are out of compliance from
 5 the Coast Guard, but we got (Indiscernible) we need to fill our fuel tanks. And we
 6 -- it would be a benefit to our -- benefit to the community of Kipnuk. That's all I
 7 can say to you. Thank you for letting me speak.

8 FEDERAL CO CHAIR NE MEYER Thank you, M. Paul.

9 COMMISSIONER KITKA: Do we have an idea where Kipnuk is in the
 10 priority list?

11 MR. LOCKER They are actually not on the priority list, because we have
 12 an active project to build a tank farm there.

13 FEDERAL CO CHAIR NE MEYER AEA does.

14 MR. LOCKER Yes.

15 FEDERAL CO CHAIR NE MEYER Let the record show David Locker
 16 with AEA said that.

17 UNIDENTIFIED FEMALE Thank you.

18 FEDERAL CO CHAIR NE MEYER Yes. So....

19 COMMISSIONER KITKA: Jimmie, did you hear that?

20 MS. MOLLER M. Chair, this is Sandra with AEA, if it's possible, I was
 21 going to speak also to Kipnuk in my (Indiscernible-- interrupted) the question.

22 FEDERAL CO CHAIR NE MEYER Please, Sandra. Please.

23 MS. MOLLER Okay. For the record, this is Sandra Moller. I'm the chief
 24 operating officer for Alaska Energy Authority. And thank you for the time to talk.

1 about this and thank you, Jimmie, for calling in. I wanted to speak to the Kipnuk
2 project. That is a project that the state has -- we're planning to build both a
3 power plant for the community as well as a bulk fuel facility. And the state
4 legislature has allocated funds for both of those projects. The power plant is
5 funded for construction, completely for design and construction and construction
6 administration. The bulk fuel farm has also funding from the state. However, we
7 do have a shortfall from what was allocated and what was -- what is the estimate
8 by the design team right now. And that's in the range of \$1 to \$2 million. And
9 what we've typically done is asked, with the commission working with them on
10 the priority list. And the request today is that the commission consider allocating
11 \$1 million to the Kipnuk bulk fuel tank farm. And that would be through a grant
12 with the Alaska Energy Authority. And the thought, and I've been talking with
13 Jodi Fondy and the staff on doing this. Earlier this year, a couple of months ago,
14 we -- AEA returned about \$1 million -- or a million dollars from a potential project
15 in Saint Paul -- excuse me, Saint George. And through our work and design
16 work and conceptual design, we determined that the tank farm in Saint George
17 was not necessary. There's an existing tank farm, existing supplier. They're
18 making improvements and refurbishing to that tank farm. Therefore, we
19 determined that the million that was from the Denali Commission for that project
20 is no longer needed and we returned it per our agreement. And what we're
21 asking today is to have that same million be allocated to the Kipnuk tank farm
22 project. I believe our project manager, Alexander, is also online if you had any
23 specific questions. What we're looking for is we'd like to build both projects at
24 least as close as we can together to have some savings of primarily the freight

1 and the (indiscernible). So if we can do that, we could save \$200,000 to
 2 \$400,000 is our estimate right now. And we're planning on moving ahead.
 3 We've already done over a million dollars of stabilization in the community for the
 4 power plant. And we are in the final design stages of the tank farm. Now the
 5 tank farm plan, right now, the design is to provide all of the fuel needs for the
 6 entire community. That would include the tank farm needed for the electric utility,
 7 also for the general store retail, and the Native corporation. So it would
 8 encompass all the needs of the community. And I -- if you had specifics on
 9 which -- if it was a store or not, I think Allen can answer those. I don't have those
 10 details right with me. But the request, again, is to make sure that we can
 11 proceed with this project.

12 FEDERAL CO-CHAIR NE MEYER: Sandra, Joel here. If the decision on
 13 this million waited until the end of January, what does that do to your schedule?

14 MS. MOLLER: Well, what we're planning on doing is having our
 15 documents ready so that we can bid it out in January and February. So it
 16 probably wouldn't -- what it would do is we'd have to bid it out with a reduced
 17 scope. And the village -- probably the village, the retail part of the tank farm
 18 would not be able to be bid or we could do it as a bid alternate. So that's our
 19 plan so that we can get the materials shipped in by October of 2016 so we can
 20 start construction as soon as the ground freezes and hopefully have it done by
 21 the spring of 2017.

22 FEDERAL CO-CHAIR NE MEYER: Understood. So there is some room
 23 but not much room time wise?

24 MS. MOLLER: Yes. Yes.

1 FEDERAL CO CHAIR NE MEYER Thank you. Anyone else online who
2 would like to speak to commissioners?

3 COMMISSIONER KITKA: I'd like to move to end public comment then.

4 FEDERAL CO CHAIR NE MEYER We have a motion to end public
5 comment given no additional comments. Do we have a second?

6 COMMISSIONER BELTRAM: Second.

7 FEDERAL CO CHAIR NE MEYER All those in favor, please say aye.

8 COMMISSIONER WASSERMAN Aye.

9 COMMISSIONER KITKA Aye.

10 COMMISSIONER BELTRAM: Aye.

11 FEDERAL CO CHAIR NE MEYER Public comment has ended. We
12 have gone through the full agenda. We have adopted a meeting schedule, which
13 would be our next meeting in January. However, commissioners have tasked the
14 state co-chair and federal co-chair to reach out immediately to our associates in
15 D.C. to see if we can, at the most convenient time and location, have a meeting
16 of commissioners and senior staffers or policymakers in D.C. or here. And so
17 we may be doing that before January. So more to come on that point. Any final
18 comments from individual commissioners?

19 COMMISSIONER WASSERMAN I want to thank Julie for bringing all
20 these resolutions. It made things concise and driven and to the point. I love to
21 the point.

22 FEDERAL CO CHAIR NE MEYER Julie?

23 COMMISSIONER KITKA I just want to thank everybody for coming
24 today. I really appreciate it and look forward to seeing what we can accomplish.

1 FEDERAL CO CHAIR NE MEYER Vince?

2 COMM SSIONER BELTRAM: Nothing further.

3 FEDERAL CO CHAIR NE MEYER And I think since John isn't here, we
4 should assign him some heavy responsibilities.

5 (Indiscernible -- multiple speakers at the same time.)

6 COMM SSIONER KATKA: Sure, we'll give him assignments.

7 FEDERAL CO CHAIR NE MEYER Mr. MacKinnon will be getting some
8 extra assignments. With that, do we have a motion to adjourn?

9 COMM SSIONER BELTRAM: So moved.

10 FEDERAL CO CHAIR NE MEYER All those in favor?

11 COMM SSIONER BELTRAM: Aye.

12 COMM SSIONER KATKA: Aye.

13 COMM SSIONER WASSERMAN: Aye.

14 FEDERAL CO CHAIR NE MEYER Motion to adjourn at.....

15 THE REPORTER Motion to adjourn. The meeting is adjourned at 4:02
16 p.m.

17 FEDERAL CO CHAIR NE MEYER 4:02 Thank you very much.

18 THE REPORTER Of the record

19 (Of the record at 4:02 p.m.)

20

21

22

23

24

1

2

3

4

5

TRANSCRIBER'S CERTIFICATE

6

7

8

9

10

11

12

I, Gori a Schei n, hereby certify that the foregoing pages numbered 2 through 185 are a true, accurate and complete transcript of the Denali Commission Public Meeting of November 5, 2015, transcribed by me from a copy of the digital sound recording to the best of my knowledge and ability.

Date Gori a Schei n